

RECEIPT

APPELLATE TRIBUNAL FOR ELECTRICITY

Core- 4, 7th Floor Scope Complex Lodhi Road New Delhi-110003

OP/1/2011

DATE OF FILING : 05/12/2019

CASE TYPE:- OP

Appellant Name :- Tariff Revision (Suo-Motu Action on the Letter received from Ministry of power)

Respondent Name :- Central and State Commission

MF No	Year	Type Of Receipt	Filled By
2621	2019	Mise.Paper	Central and State Commission (R-1),

Matter : Compliance Report on behalf of Forum of Regulators (FOR)

COUNTER ASSISTANT



FORUM OF REGULATORS (FOR)
C/o CENTRAL ELECTRICITY REGULATORY COMMISSION
3rd & 4th Floor, Chanderlok Building, 36, Janpath, New Delhi-110001
Tel: 011-23353503

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

Dated: 5th December, 2019

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 1st November 2019 in OP No.1 of 2011- reg.

Sir/Madam,

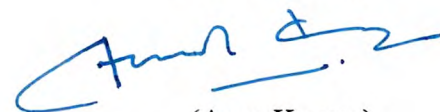
I am directed to refer to the Order dated 1st November 2019 of the Hon'ble APTEL on the above subject wherein Forum of Regulators (FOR) was directed to collect data from the SERCs/JERCs who had not yet informed the FOR.

2. FOR Secretariat sought information as directed, from the State Commissions & Joint Commissions in pursuance of the above directions. The summary statement of the responses received from the SERCs (Arunachal Pradesh and Telangana) including additional submissions received from SERCs (Andhra Pradesh, Himachal Pradesh and West Bengal) is enclosed as **Annexure-1**. The individual submissions are also **attached herewith**.

3. It is requested that this may please be brought to the notice of the Hon'ble APTEL.

Encl: As above (6 sets)

Yours sincerely



(Arun Kumar)
Asst. Secretary, FOR

- (i) Every State Commission has to ensure that Annual Performance Review, true-up of past expenses and Annual Revenue Requirement and tariff determination is conducted year to year basis as per the time schedule specified in the Regulations.**

Responses as received from SERCs/JERCs are as under:

Arunachal Pradesh	APSERC has carried out the Annual Performance Review, True up of past expenses and ARR on year to year basis. But it is generally received late subsequently order also delayed due to missing and insufficient information. (Annexure -2)
Telangana	As per Annexure-3
Himachal Pradesh	Additional Submission as per Annexure-4
West Bengal	Additional Submission as per Annexure-5

- (ii) It should be the endeavour of every State Commission to ensure that the tariff for the financial year is decided before 1st April of the tariff year. For example, the ARR & tariff for the financial year 2011-12 should be decided before 1st April, 2011. The State Commission could consider making the tariff applicable only till the end of the financial year so that the licensees remain vigilant to follow the time schedule for filing of the application for determination of ARR/tariff.**

Responses as received from SERCs/JERCs are as under:

Arunachal Pradesh	APSERC has been ensuring that the Tariff order of utilities for a particular financial year is being decided on or before 1st April of the financial year however if there is delay in filing of petition by the Utilities (all Govt. utilities in Arunachal Pradesh) then accordingly there has been delay in Tariff Order. (Annexure -2)
Telangana	As per Annexure-3
Himachal Pradesh	Additional Submission as per Annexure-4
West Bengal	Additional Submission as per Annexure-5

(iii) In the event of delay in filing of the ARR, truing-up and Annual Performance Review, one month beyond the scheduled date of submission of the petition, the State Commission must initiate suo-moto proceedings for tariff determination in accordance with Section 64 of the Act read with clause 8.1 (7) of the Tariff Policy.

Responses as received from SERCs/JERCs are as under:

Arunachal Pradesh	There has been delay in the submission of ARR by utilities in some cases, however, APSERC has not issued any order on suo-moto basis till now due to non- availability of complete information from the utilities. (Annexure -2)
Telangana	As per Annexure-3
Himachal Pradesh	Additional Submission as per Annexure-4
West Bengal	Additional Submission as per Annexure-5

(iv) In determination of ARR/tariff, the revenue gaps ought not to be left and Regulatory Asset should not be created as a matter of course except where it is justifiable, in accordance with the Tariff Policy and the Regulations. The recovery of the Regulatory Asset should be time bound and within a period not exceeding three years at the most and preferably within Control Period. Carrying cost of the Regulatory Asset should be allowed to the utilities in the ARR of the year in which the Regulatory Assets are created to avoid problem of cash flow to the distribution licensee.

Responses as received from SERCs/JERCs are as under:

Arunachal Pradesh	No response
Telangana	As per Annexure-3
Himachal Pradesh	Additional Submission as per Annexure-4
West Bengal	Additional Submission as per Annexure-5

(v) Truing up should be carried out regularly and preferably every year. For example, truing up for the financial year 2009-10 should be carried out along with the ARR and tariff determination for the financial year 2011-12.

Responses as received from SERCs/JERCs are as under:

Arunachal Pradesh	True up is being regularly carried out by APSERC for every Tariff Petition submitted. (Annexure -2)
Telangana	As per Annexure-3
Himachal Pradesh	Additional Submission as per Annexure-4
West Bengal	Additional Submission as per Annexure-5

(vi) Fuel and Power Purchase cost is a major expense of the distribution Company which is uncontrollable. Every State Commission must have in place a mechanism for Fuel and Power Purchase cost in terms of Section 62 (4) of the Act. The Fuel and Power Purchase cost adjustment should preferably be on monthly basis on the lines of the Central Commission's Regulations for the generating companies but in no case exceeding a quarter. Any State Commission which does not already have such formula/mechanism in place must within 6 months of the date of this order must put in place such formula/mechanism.

Responses as received from SERCs/JERCs are as under:

Arunachal Pradesh	Not applicable since there isn't any Thermal Generating Station in the state of Arunachal Pradesh. (Annexure -2)
Telangana	As per Annexure-3
Himachal Pradesh	Additional Submission as per Annexure-4
West Bengal	Additional Submission as per Annexure-5

ADDITIONAL INFORMATION FROM APERC

Andhra Pradesh Electricity Regulatory Commission (APERC) has provided the following information (Annexure-6):

"With reference to your letter cited, I am directed to inform that in order to comply with the directions of the Hon'ble Appellate Tribunal for Electricity referred in the subject cited, the Andhra Pradesh Electricity Regulatory Commission issued a public notice on 05-10-2019 fixing 16-11-2019 as the date of public hearing. Despite publication of notice in the prescribed manner, no representations/objections were received. The Hon'ble Commission reserved orders on 16-11-2019 and orders are expected to be passed shortly. The result of the order will be intimated to you immediately after the same is passed by the Hon'ble Commission."


ARUNACHAL PRADESH STATE ELECTRICITY REGULATORY COMMISSION
O.T. BUILDING, 2ND FLOOR, NITI VIHAR MARKET, T.T. MARG
NITI VIHAR, ITANAGAR - 791111

 Tel: 0360-2291642, Fax 0360-2291643, E-mail apserc-arn@gov.in

 website : www.apserc.nic.in

No.AP SERC/RA-19/I/2019-20/ 805

 Dated 22nd Nov 2019

To,

✓ Mr. Arun Kumar

Assistant Secretary (FOR)

3rd & 4th Floor,

Chanderlok Building, 36,

Janpath, New Delhi – 110 001

Sub: Compliance of the directions of Hon'ble Appellate Tribunal for Electricity issued vide Order dated 3rd November 2014 and 23rd September 2019 in OP No.1 of 2011- reg.

Ref: Your mail No. 15/9(1)/2011/APTEL-TA/FOR/CERC (Vol-VI) Dated: 30th September 2019

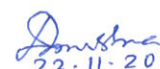
Sir,

The inputs related to the State of Arunachal Pradesh:

S.No	Query	Input/Comment
(a)	Every State Commission has to ensure that Annual Performance Review, true up of past expenses and Annual Revenue Requirement and tariff determination is conducted year-to-year basis as per the time schedule specified in the Regulations.	APSERC has carried out the Annual Performance Review, True up of past expenses and ARR on year to year basis. But it is generally received late subsequently order also delayed due to missing and insufficient information.
(b)	It should be the endeavour of every State Commission to ensure that the tariff for the financial year is decided before 1 st April of the tariff year. For example, the ARR & tariff for the financial year 2011-12 should be decided before 1 st April, 2011. The State Commission could consider making the tariff applicable only till the end of the financial year so that the licensees remain vigilant to follow the time schedule for filing of the application for determination of ARR/tariff.	APSERC has been ensuring that the Tariff order of utilities for a particular financial year is being decided on or before 1 st April of the financial year however if there is delay in filing of petition by the Utilities (all Govt utilities in Arunachal Pradesh) then accordingly there has been delay in Tariff Order.
(c)	In the event of delay in filing of the ARR, truing-up and Annual Performance Review, one month beyond the scheduled date of submission of the petition, the State Commission must initiate suo-moto proceedings for tariff determination in accordance with Section 64 of the Act read with clause 8.1 (7) of the Tariff Policy	There has been delay in the submission of ARR by utilities in some cases, however, APSERC has not issued any order on suo-moto basis till now due to non-availability of complete information from the utilities.
(d)	Fuel and Power Purchase cost is a major expense of the distribution Company which is uncontrollable. Every State Commission must have in place a mechanism for Fuel and Power Purchase cost in	Not applicable since there isn't any Thermal Generating Station in the state of Arunachal Pradesh.

	terms of Section 62 (4) of the Act. The Fuel and Power Purchase cost adjustment should preferably be on monthly basis on the lines of the Central Commission's Regulations for the generating companies but in no case exceeding a quarter. Any State Commission which does not already have such formula/mechanism in place must within 6 months of the date of this order must put in place such formula/ mechanism.	
(e)	Truing up should be carried out regularly and preferably every year. For example, truing up for the financial year 2009-10 should be carried out along with the ARR and tariff determination for the financial year 2011-12.	True up is being regularly carried out by APSERC for every Tariff Petition submitted.
(f)	Fuel and Power Purchase cost is a major expense of the distribution Company which is uncontrollable. Every State Commission must have in place a mechanism for Fuel and Power Purchase cost in terms of Section 62 (4) of the Act. The Fuel and Power Purchase cost adjustment should preferably be on monthly basis on the lines of the Central Commission's Regulations for the generating companies but in no case exceeding a quarter. Any State Commission which does not already have such formula/mechanism in place must within 6 months of the date of this order must put in place such formula/ mechanism.	Not applicable since there isn't any Thermal Generating Station in the state of Arunachal Pradesh.

Yours Sincerely


22.11.2019

Secretary, APSERC

**Annexure - 3**

Ankit Gupta <ankit.cerc@gmail.com>

Fwd: Compliance of the directions of Hon'ble Apellate Tribunal for Electricity issuedvide Order dated 1st November 2019 in OP No.1 of 2011- reg.

1 message

Assistant Secretary FOR <asecy.for@gmail.com>

Mon, Dec 2, 2019 at 4:34 PM

To: Arun Kumar <arun.kumar82@nic.in>, ankit.cerc@gmail.com

----- Forwarded message -----

From: **Umakanta Panda Commission Secretary** <secy@tserc.gov.in>

Date: Mon, Dec 2, 2019 at 4:22 PM

Subject: Compliance of the directions of Hon'ble Apellate Tribunal for Electricity issuedvide Order dated 1st November 2019 in OP No.1 of 2011- reg.

To: <asecy.for@gmail.com>

Please find herewith the attachment as sought by you.

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Thanks & Regards

Umakanta Panda

Commission Secretary

Telangana State Electricity Regulatory Commission

040-23397625

**Information to FOR.docx**

14K

Information to FOR w.r.t APTEL order in O.P.No. 1 of 2011 Dt 23.11.2019

- i) The Commission has published Conduct of Business Regulation [Regulation No. 2 of 2015] on 02.05.2015 and Terms and Condition of Generation tariff Regulation [Regulation No. 1 of 2019] on 04.01.2019
The following are the details of filings made and orders passed by the Commission

Year	Filings made in	Tariff Order passed in
2015-16	February 2015	March 2015
2016-17	March 2016	June 2016
2017-18	April 2017	August 2017
2018-19	not made	no tariff order was issued

- ii) True Up: True up will be filed at the end of 3rd control period for Distribution business True up for Retail supply business was done upto 2015-16 and provisional true up for 2016-17 has been done.
- iii) FSA: No Regulation in place
- iv) Regulatory Asset: nil

Amendment of Business Regulation.

The Commission had issued the fresh Conduct of Business Regulation, 2015 duly providing quorum for a single member to undertake proceedings in accordance with the directions of the Hon'ble ATE.



Ankit Gupta <ankit.cerc@gmail.com>

Compliance of directions of Hon'ble APTEL issued vide order dated 1 Nov., 2011-reg

hperc hperc <hperc@rediffmail.com>

Wed, Nov 27, 2019 at 1:20 PM

To: arunkumar82 <arun.kumar82@nic.in>, ankitcerc <ankit.cerc@gmail.com>, Assistant Secretary <asecy.for@gmail.com>

Sir,

Please find attached filled format in respect of Himachal Pradesh Electricity Regulatory Commission, Shimla, in compliance to the Hon'ble APTEL order dated 1st November, 2011.



HPERC_data_APTEL_OP_1of_2011.docx

20K

Himachal Pradesh Electricity Regulatory Commission (HPERC)					
Format for compilation of data regarding the directions given by APTEL through its judgment dated 11.11.2011					
Sl. No.	Particulars	2015-16	2016-17	2017-18	2018-19
I. Timeliness of Tariff Determination Process					
A. Tariff Filing					
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)?				
	i. APR	Yes (on or before November 30 of each year)	Yes (on or before November 30 of each year)	Yes (on or before November 30 of each year)	Yes (on or before November 30 of each year)
	ii. True Up	Along with the APR Petition	Along with the APR Petition	Along with the APR Petition	Along with the APR Petition
	iii. ARR	Yes (on or before November 30 of each year)	Yes (on or before November 30 of each year)	Yes (on or before November 30 of each year)	Yes (on or before November 30 of each year)
	iv. Tariff Order	Yes (120 days from the date of Acceptance of filing)	Yes (120 days from the date of Acceptance of filing)	Yes (120 days from the date of Acceptance of filing)	Yes (120 days from the date of Acceptance of filing)
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)?				
	i. APR				
	ii. True Up	30 November 2017	30 November, 2018	Not yet filed	Not yet filed
	iii. ARR	28 November 2014	28 November, 2015	30 November, 2016	30 November, 2017
	iv. Tariff Order	10 April, 2015	25 May, 2016	17 April, 2017	04 May, 2018
3	If delay in filing of Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Order is beyond one month, whether the Regulatory Commission has taken any suo- motu action for determination of tariff? If not, please provide the reasons thereof				
	i. APR	NO	NO	NO	NO
	ii. True Up				
	iii. ARR				
	iv. Tariff Order				

B. Tariff Order					
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)?				
	i. APR	<u>Date of Issue of</u> <u>Tariff Order:</u> 10.04.2015 <u>True Up Order:</u> 04.05.2018	<u>Date of Issue of</u> <u>Tariff Order:</u> 25.05.2016 <u>True Up Order:</u> 29.06.2019	<u>Date of Issue of Tariff</u> <u>Order</u> 17.04.2017	<u>Date of Issue of Tariff</u> <u>Order</u> 04.05.2018
	ii. True Up				
	iii. ARR				
	iv. Tariff Order				
5	Whether the applicability of Tariff is till the end of the financial year (Yes/No)?	March 31, 2016 until allowed to be continued by the Commission	March 31, 2017 until allowed to be continued by the Commission	March 31, 2018 until allowed to be continued by the Commission	March 31, 2019 until allowed to be continued by the Commission
	REMARKS			True up not done as Utility Audited Accounts are not available	True up not done as Utility Audited Accounts are not available
1	Annual Revenue Requirement (in Rs. Cr.)	4655.63	4966.05	5015.75	5389.26
2	Saleable Energy (in MUs)	8438	8650	8436	8638
3	Average Cost of Supply (Rs./kWh)	5.07	5.38	5.42	5.59
4	Average Tariff (Rs./kWh)*	5.17	5.39	5.42	5.60
5	Revenue gap between ARR and ACS per unit of only the year in consideration (in Rs./kWh)	None	None	None	None
6	Whether Regulatory Assets have been created?	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>
7	If yes, whether the creation of Regulatory Assets is in line with the	NA	NA	NA	NA

	National Tariff Policy?				
8	Whether a roadmap (in terms of timeline not exceeding 3 years) for the recovery of such Regulatory Assets been specified?	NA	NA	NA	NA
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?	NA	NA	NA	NA
III. Fuel & Power Purchase Cost Adjustment					
1	Whether Fuel Surcharge Adjustment formula/mechanism provided in regulation (Yes/No)?	Yes	Yes	Yes	Yes
2	Frequency of adjustment of Fuel Surcharge as per the regulations (monthly/ bi-monthly/quarterly)?	Quarterly	Quarterly	Quarterly	Quarterly
3	Fuel Surcharge Adjustment being done as per the regulations? If not, please provide the reasons thereof.	Need not arose	Need not arose	Need not arose	Need not arose



WEST BENGAL ELECTRICITY REGULATORY COMMISSION

Annexure - 5



Ref No. WBERC/A-14/6/34/ 5017-

Dated, Kolkata, the 26th November, 2019

From :

Shri T.K. Mukherjee
Secretary, WBERC

To:

Shri Arun Kumar,
Assistant Secretary (FOR)
C/o Central Electricity Regulatory Commission (CERC)
3rd & 4th Floor, Chanderlok Building,
36, Janpath, New Delhi – 110001
Fax No : 011-23753920/23752958
E-mail : Asecy.for@gmail.com/cerc.ra@gmail.com

Sub : 70th Meeting of Forum of Regulators (FOR) - reg

Ref : FOR letter No. 15/2(70)/2019-FOR/CERC dated 30.10.2019

Sir,

I am directed to forward herewith information in duly completed format given in Annexure – V of detailed agenda items for 70th Meeting of FOR for further necessary action at your end.

Yours faithfully,

Secretary

West Bengal Electricity Regulatory Commission					
Format for compilation of data regarding the directions given by APTEL through its judgement dated 11.11.2011					
SL NO	Particulars	2015-16	2016-17	2017-18	2018-19
I. Timelines of Tariff Determination Process					
A. Tariff Filing					
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)?				
	i. APR	YES (by 30.11.2016)	YES (by 30.11.2017)	YES (by 30.11.2018)	YES (by 30.11.2019)
	ii. True Up	YES (True up of annual fixed charges, fixed cost and incentives are done in APR and fuel and power purchase cost in FPPCA mechanism)			
	iii. ARR	YES (Composite application with projection of ARR and ERC for each ensuing year of the control period)			
	iv. Tariff Petition	YES (120 days before start of control period)			
	Remarks	Under Multi Year Tariff (MYT) Framework licensee shall file a composite application with the projection of ARR and ERC and proposal of tariff including principles of tariff structure for each ensuing year of the control period separately on the basis of ARR projected. The composite application for the entire control period shall be submitted 120 days in advance of the effective date of the start of control period. [Ref: Regulation 2.5.1 and 2.7.1 of WBERC Tariff Regulations, 2011, as amended] A generating company/ licensee shall make an application seeking an annual performance review for fixed cost, incentives and effects of gain sharing for the concerned period by November of immediate next ensuing year of each such ensuing year or base year as the case may be. [Ref: Regulation 2.6.1 of WBERC Tariff Regulations, 2011, as amended] A generating company/ licensee shall submit its FPPCA claim for any year within forty five days of the completion of its accounts for that year with necessary statutory audited data and a copy of statutorily audited Annual Accounts for that year. [Ref: Regulation 2.8.7.2 of WBERC Tariff Regulations, 2011, as amended]			
2	If yes, whether Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Petitions are being filed as per requirements of regulation (please also provide the actual date of filing)?				
	i. APR	<u>Filing of APR Petitions:</u> WBSEDCL: 25.11.2016 WBPDCCL: 29.11.2016 WBSETCL: 30.11.2016 CESC: 30.11.2016 HEL: 30.04.2019 IPCL: 01.02.2018 DVC: *	<u>Filing of APR Petitions:</u> WBSEDCL: 30.11.2017 WBPDCCL: 29.11.2017 WBSETCL: 30.11.2017 CESC: 30.11.2017 HEL: 30.04.2019 IPCL: Not yet submitted DVC: *	<u>Filing of APR Petitions:</u> WBSEDCL: 07.12.2018 WBPDCCL: 05.02.2019 WBSETCL: 11.12.2018 CESC: 28.02.2019 HEL: 30.04.2019 IPCL: Not yet submitted DVC: Not yet submitted	APR Petitions are due to be filed by the generating companies/ licensees on 31.11.2019
	ii. True Up	Along with APR Petitions	Along with APR Petitions	Along with APR Petitions	Along with APR Petitions
	iii. ARR	Composite Application with projection of ARR filed by the generating companies and licensees for the 4th Control Period i.e. for 2014-15 to 2016-17			Application for ARR filed by the generating companies and licensees for the 5th Control Period i.e. for 2017-18 in Tariff Petition Composite Application filed by the generating companies and licensees for the 6th Control Period i.e. for 2018-19 and 2019-20

SL NO	Particulars	2015-16	2016-17	2017-18	2018-19
	iv. Tariff Order	<u>Filing of Tariff Petitions:</u> Tariff Petitions have been filed under MYT Framework for 4th Control Period i.e. for 2014-15 to 2016-17 WBSEDCL: 24.02.2014 WBPDCCL: 28.01.2014 WBSETCL: 30.01.2014 CESC: 31.12.2013 HEL: 21.08.2014 IPCL: 16.01.2014 DVC: 15.01.2014	<u>Filing of Tariff Petitions:</u> Tariff Petitions have been filed under MYT Framework for 4th Control Period i.e. for 2014-15 to 2016-17 WBSEDCL: 24.02.2014 WBPDCCL: 28.01.2014 WBSETCL: 30.01.2014 CESC: 31.12.2013 HEL: 21.08.2014 IPCL: 16.01.2014 DVC: 15.01.2014	<u>Filing of Tariff Petitions:</u> Tariff Petitions have been filed under MYT Framework for 5th Control Period i.e. for 2017-18 WBSEDCL: 22.12.2016 WBPDCCL: 30.12.2016 WBSETCL: 26.12.2016 CESC: 30.12.2016 HEL: 28.12.2016 IPCL: 23.03.2017 DVC: **	<u>Filing of Tariff Petitions:</u> Tariff Petitions have been filed under MYT Framework for 6th Control Period i.e. for 2018-19 to 2019-20 WBSEDCL: 31.07.2019 WBPDCCL: 31.07.2019 WBSETCL: 31.07.2019 CESC: 29.06.2018 HEL: 18.06.2018 IPCL: 31.08.2018 DVC: 04.01.2019 HMEL: 01.07.2019
	Remarks	* APR Petition of DVC for 2015-16 and 2016-17: Revised petition to be submitted by DVC based on CERC's Final Order on composite Transmission Tariff for the year 2014-19 ** Tariff Petition of DVC for 2017-18: DVC is yet to submit the revised tariff petition in compliance of order of the Hon'ble High Court at Calcutta.			
3	If delay in filing of Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Order is beyond one month, whether the Regulatory Commission has taken any suo-motu action for determination of tariff? If not, please provide the reasons thereof				
	i. APR	N.A	N.A	N.A	N.A
	ii. True Up	N.A	N.A	N.A	N.A
	iii. ARR	N.A	N.A	N.A	N.A
	iv. Tariff Order	N.A	N.A	N.A	N.A
	Remarks				
B. Tariff Order					
4	Whether Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Order 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)				
	i. APR	Date of Filing APR Petitions given in Sl No. 2 above. APR order for all the generating companies and licensees are under process.	Date of Filing APR Petitions given in Sl No. 2 above. APR order for all the generating companies and licensees are under process.	Date of Filing APR Petitions given in Sl No. 2 above. APR order for all the generating companies and licensees are under process.	-
	ii. True Up	Same as in 4 (i) above.	Same as in 4 (i) above.	Same as in 4 (i) above.	-

SL NO	Particulars	2015-16	2016-17	2017-18	2018-19
	iii. ARR	Date of Filing Tariff Petitions given in SI No. 2 above. ARR has been determined by the Commission in MYT Order for the 4th Control Period i.e. for 2014-15 to 2016-17. Date of issue of such order is given below: WBSEDCL: 04.03.2015 WBPDCCL: 04.03.2015 WBSETCL: 04.03.2015 CESC: 04.03.2015 HEL: 29.01.2016 IPCL: 21.07.2016 DVC: 25.05.2015	Date of Filing Tariff Petitions given in SI No. 2 above. ARR has been determined by the Commission in MYT Order for the 4th Control Period i.e. for 2014-15 to 2016-17. Date of issue of such order is given below: WBSEDCL: 04.03.2015 WBPDCCL: 04.03.2015 WBSETCL: 04.03.2015 CESC: 04.03.2015 HEL: 29.01.2016 IPCL: 21.07.2016 DVC: 25.05.2015	Date of Filing Tariff Petitions given in SI No. 2 above. ARR has been determined by the Commission in Tariff Order for the 5th Control Period i.e. for 2017-18. Date of issuance of such order is given in SI 4 (iv)	Tariff Order is under process.
	iv. Tariff Order	Date of Filing Tariff Petitions given in SI No. 2 above. Date of issuance of Tariff Order is given below: WBSEDCL: 10.08.2015 WBPDCCL: 19.06.2015 WBSETCL: 22.06.2015 CESC: 10.08.2015 HEL: 29.01.2016 IPCL: 21.07.2016 DVC: 25.05.2015	Date of Filing Tariff Petitions given in SI No. 2 above. Date of issuance of Tariff Order is given below: WBSEDCL: 28.10.2016 WBPDCCL: 28.10.2016 WBSETCL: 28.10.2016 CESC: 28.10.2016 HEL: 29.01.2016 IPCL: 21.07.2016 DVC: 03.03.2017	Date of Filing Tariff Petitions given in SI No. 2 above. Date of issuance of Tariff Order is given below: WBSEDCL: 04.07.2018 WBPDCCL: 13.09.2018 WBSETCL: 04.07.2018 CESC: 04.07.2018 HEL: 27.11.2017 IPCL: Under Process	Tariff Order is under process.
	Remarks	The Commission has undertaken expeditious disposal of APR and FPPCA petitions and all such petitions are expected to be disposed off within three months.	The Commission has undertaken expeditious disposal of APR and FPPCA petitions and all such petitions are expected to be disposed off within next three months.	The Commission has undertaken expeditious disposal of APR and FPPCA petitions and all such petitions are expected to be disposed off within next three months.	-
5	Whether the applicability of Tariff is till the end of the financial year (Yes/ No)?	The tariff is to be continued till further order of the Commission	The tariff is to be continued till further order of the Commission	The tariff is to be continued till further order of the Commission	-
1	Annual Revenue Requirement (in Rs. Cr)	Licensee wise ARR, Saleable Energy, ACoS and Average Tariff for each year is given in Appendix-A.			Tariff Order is under process.
2	Saleable Energy (in MUs)				
3	Average Cost of Supply (Rs./kWh)				

Sl NO	Particulars	2015-16	2016-17	2017-18	2018-19
4	Average Tariff (Rs./kWh)				
5	Revenue gap between ARR and ACS per unit of only the year in consideration (in Rs./kWh)	No revenue gap between ARR and ACS per unit has been created.	No revenue gap between ARR and ACS per unit has been created.	No revenue gap between ARR and ACS per unit has been created.	Tariff Order is under process.
6	Whether Regulatory Assets have been created?	No	No	No	-
7	If yes, whether the creation of Regulatory Assets is in line with the National Tariff Policy?	N.A	N.A	N.A	-
8	Whether a roadmap (in terms of timeline not exceeding 3 years) for recovery of such Regulatory Assets been specified?	N.A	N.A	N.A	-
9	Whether carrying cost of the Regulatory Asset allowed to the utilities in the ARR of the year in which the Regulatory Asset are created?	N.A	N.A	N.A	-

III. Fuel and Power Purchase Cost Adjustment

1	Whether Fuel Surcharge Adjustment formula/ mechanism provided in regulation (Yes/ No)?	Yes. The Commission in terms of Regulation 2.8.7.3 of Tariff Regulations have already introduced Fuel Surcharge Mechanism through monthly adjustment of fuel cost and power purchase cost or variable cost which has been termed as 'Monthly Fuel Cost Adjustment' (MFCA) or 'Monthly Variable Cost Adjustment' (MVCA) to a generating company or to a distribution licensee on the basis of fuel surcharge formula.			
2	Frequency of adjustment of Fuel Surcharge as per the regulations (monthly/ bi-monthly/ quarterly)?	Monthly			
3	Fuel Surcharge Adjustment being done as per the regulations? If not, please provide the reasons thereof	Yes, Fuel Surcharge is being done as per Formula Specified in Schedule 7B of WBERC Tariff Regulations, 2011, as amended			

Sl. No	Particulars	WBSEDCL			CESC			IPCL		DVC	
		2015-16	2016-17	2017-18	2015-16	2016-17	2017-18	2015-16	2016-17	2015-16	2016-17
1	Annual Revenue Requirement (in Rs. Cr)	17840.46	16888.44	17450.77	6577.51	6593.80	6799.87	477.59	519.71	4326.16	4823.4008
2	Saleable Energy (in MUs)	27232.10	24500.00	25324.00	9424.00	9387.00	9680.00	810.00	820.00	9127.11	9845.47
3	Average Cost of Supply (Rs./kWh)	655.13	689.32	689.10	697.95	702.44	702.47	589.62	633.80	473.99	489.91
4	Average Tariff (Rs./kWh)	655.13	689.32	689.10	697.95	702.44	702.47	589.62	633.80	473.99	489.91



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Phone Nos.(040)23397625/381/399 Fax No.(040)23397378 website www.aperc.gov.in

From

The Commission Secretary,
#11-4-660, 4th Floor, APERC,
Singareni Bhavan, Red Hills,
Hyderabad – 500 004

To

The Assistant Secretary
Forum of Regulators (FOR)
C/o. Central Electricity Regulatory Commission
3rd & 4th Floors, Chanderlok Building
36, Janpath, New Delhi 110 001

Lr. No. Secy /F.No. S-112 /2019 Dated: 04-12-2019

Sir,

Sub:- Compliance of Hon'ble Appellate Tribunal for Electricity's directions in O.P.No.1 of 2011 – Reg.

Ref:- Your letter No.15/9(1)/2011/APTEL-TA/FOR/CERC(Vol-VI) dated 22-11-2019.

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With reference to your letter cited, I am directed to inform that in order to comply with the directions of the Hon'ble Appellate Tribunal for Electricity referred in the subject cited, the Andhra Pradesh Electricity Regulatory Commission issued a public notice on 05-10-2019 fixing 16-11-2019 as the date of public hearing. Despite publication of notice in the prescribed manner, no representations/objections were received. The Hon'ble Commission reserved orders on 16-11-2019 and orders are expected to be passed shortly. The result of the order will be intimated to you immediately after the same is passed by the Hon'ble Commission.

Yours faithfully,

Secretary (i/c) 4/12/19