

MINUTES OF THE 80TH MEETING OF THE FORUM OF REGULATORS (FOR)

Venue: Virtually through MS Teams

Date: 27th May, 2022

At the outset, Chairperson, CERC /FOR welcomed the members to the 80th meeting of the FOR. He also welcomed Shri Rengthanvela Thanga who has taken over as the Chairperson of JERC for Manipur & Mizoram. The list of participants is at **Appendix**.

AGENDA 1: CONFIRMATION OF MINUTES OF THE 79TH FOR MEETING HELD ON APRIL 22, 2022

Dy Chief (RA), CERC updated about the action taken on the minutes of the 79th FOR meeting held on 22nd April 2022 and requested for the approval of the minutes. The Forum unanimously approved the Minutes of the 79th FOR Meeting.

AGENDA 2: ACCOUNTS RELATED ISSUES: AUDITED ACCOUNTS OF FOR FOR THE F.Y. 2021-2022.

Deputy Chief (RA), CERC appraised the Forum on the salient features of the FOR Annual Accounts for the F.Y. 2021-2022. The Members, after detailed discussions, approved & adopted the Audited Accounts of FOR for the F.Y. 2021-22.

AGENDA 3: TIME PERIOD FOR TARIFF DETERMINATION - REFERENCE FROM JERC JAMMU & KASHMIR AND LADAKH

The Forum was informed that a reference has been received from JERC for J&K and Ladakh regarding the period of 120 days specified in section 64 of the Electricity Act 2003 for determination of tariff by ERCs. The Chairperson of JERC for J&K and Ladakh elaborated the issue and informed the Forum that it has been often observed that the utilities submit tariff petition before the Appropriate Commission without providing elementary data, and as such the Commission is not in a position to admit the petitions and proceed further for tariff determination process. Hence, such petitions are returned to the utilities to fulfill the deficiencies and submit revised petition, which takes considerable time. He, therefore, requested the Forum to take up the matter for making adequate provision in the Act, so that the period of 120 days is counted from the date of admission of the petition, and not from the date of application.

The Forum deliberated on various provisions of the Act and observed that the existing provision of Section 64(1) of the Act already provides wide amplitude to the regulators to specify “the manner” in which an application for tariff determination is to be made. Taking cue from the *Explanation* under section 43 of the Act (which provides that “.....*application means the application complete in all respects in the appropriate form, as required by, along with documents showing payment of necessary charges and other compliances*”), suitable provision can be made in the regulations to be framed by State Commissions under Section 64(1) of the Act to address the issue.

AGENDA 4: SIMPLIFICATION OF PROCEDURE-ROOFTOP SOLAR PROGRAM PHASE-II -REFERENCE FROM WEST BENGAL ERC

A reference was received from WBERC regarding “Simplification of Procedure- Rooftop Solar Program Ph-II Scheme” notified by the MNRE vide OM dated 02.02.2022. Chairperson, WBERC informed the Forum that a centralized portal is being developed. However, the cut-off point for net metering and gross metering is not uniform across States and there are differences in this regard between the Rules and the Regulations of SERCs. There is an estoppel that if there are regulations in place in a particular State, there is no need to change that part of the regulation and the existing regulations will prevail. This would mean that the Rules regarding cut-off of 500 Kilowatt for net-metering will operate only where regulations of a State are not explicit about that cut-off. Hence, if there is a national portal and entire process including release of subsidy is operated through the national portal, the question is as to how the national portal will deal with such differences.

After discussion, the Forum observed that the issue has also been taken up by the Discoms with MNRE and therefore, the FOR Secretariat may also bring this issue to the notice of MNRE.

CONCLUSION

Chief (RA), CERC informed this is the last FOR meeting for the Chairperson as he demits the office on the 11th June, 2022. During his tenure, 18 FOR meetings and 3 Special meetings of the Forum were held to deliberate on several important issues.

Expressing deep appreciation, Chairperson, WBERC stated that during the tenure of Shri P.K. Pujari as Chairperson, FOR/CERC, the value and direction that he brought to the Forum made every member feel empowered.

Chairperson, HPERC thanked Shri P.K. Pujari for his guidance to the Forum members and appreciated the wisdom, which he brought to the discussions.

Chairperson, APERC appreciated the free and fearless stand of Shri P.K. Pujari on several critical issues facing the sector.

The Chairperson appreciated the collective experience of FOR which comprises experts from different disciplines including administration, engineering, finance and judiciary. He further added that the field experience of the State Regulators brings a lot of value to the discussion in the Forum. The policy and regulatory work being undertaken at the Government of India level and at the Central Commission level would not translate into reality unless the opinions, views and suggestions of the State Regulators are factored in. He thanked the State Regulators, who had worked with him, for their support during his entire tenure.

The meeting ended with vote of thanks to the Chair.

APPENDIX

LIST OF PARTICIPANTS OF THE 80TH MEETING
OF

FORUM OF REGULATORS (FOR)

HELD ON FRIDAY, THE 27TH MAY, 2022.

[THROUGH VIDEO CONFERENCING (MS TEAMS)]

S. No.	NAME	ERC
01.	Shri P.K. Pujari Chairperson	CERC / FOR – in Chair.
02.	Justice (Shri) C.V. Nagarjuna Reddy Chairperson	APERC
03.	Shri Kumar Sanjay Krishna Chairperson	AERC
04.	Shri Shishir Sinha Chairperson	BERC
05.	Shri D.K. Sharma Chairperson	HPERC
06.	Shri Lokesh Dutt Jha Chairperson	JERC for UTs of J&K and Ladakh
07.	Shri RengthanvelaThanga Chairperson	JERC for M&M
08.	Shri S.P.S. Parihar Chairperson	MPERC
09.	Shri P. W. Ingty Chairperson	MSERC
10.	Shri Viswajeet Khanna Chairperson	PSERC
11.	Dr. B.N. Sharma Chairperson	RERC
12.	Shri K.B. Kunwar Chairperson	SSERC

13.	Shri M. Chandrasekar Chairperson	TNERC
14.	Shri Sutirtha Bhattacharya Chairperson	WBERC
15.	Shri Gajendra Mohapatra Member (Legal)/Officiating Chairperson	OERC
16.	Shri D.P. Gairola Member (Law)/Chairperson Incharge	UERC
17.	Shri Vinod Deshmukh Member (Judicial)	CSERC
18.	Shri Mehul M. Gandhi Member	GERC
19.	Shri Naresh Sardana Member	HERC
20.	Shri M.D. Ravi Member	KERC
21.	Shri M.D. Manohar Raju Member	TSERC
22.	Shri Harpreet Singh Pruthi Secretary	CERC/FOR
23.	Dr. Sushanta K. Chatterjee Chief (RA)	CERC
SPECIAL INVITEES		
24.	Shri Indu Shekhar Jha Member	CERC
25.	Shri Arun Goyal Member	CERC
26.	Shri Pravas Kumar Singh Member	CERC
27.	Shri P.K. Chakraborty Chief (Fin.)	CERC
FOR SECRETARIAT		
28.	Ms. Rashmi Somasekharan Nair Dy. Chief (RA)	CERC

29.	Shri Sanjeev Tinjan Asst. Chief (RA)	CERC
30.	Shri P.M. Antony Asst. Secy.	FOR/CERC
31.	Shri Saurabh Principal Research Officer	CERC
32.	Shri Manavendra Pratap Research Officer	CERC
33.	Shri M.M. Prasad Sr. Accounts Officer	FOR
34.	Shri Nilesh Diwan Accounts Officer	SAFIR
35.	Shri Sushil Kumar Arora Administrative Officer	SAFIR
36.	Shri Davinder Kumar Technical Officer (IT)	IT Cell