



which concerned Billing Determinants, power purchase, supply hours, details of penalties and compensation with regards to standards of performance, details of DBST computation, status of compliance of all the directives, billing determinants & Revenue for Torrent Power Agra DF.

Further, the Commission raised certain queries vide email dated February 13, 2023 and February 22, 2023 on issues such as category wise energy sales for distribution franchisee area (inclusive of distribution losses), abnormal trend in billing determinants for LMV-1, LMV-3 & LMV-5 category from last audited year, reconciliation of the opening and closing balances of the long-term loans for FY 2021-22 with the audited accounts for calculation of interest on long term loans, banking agreement executed and envisaged, details of four wheelers capitalised in GFA, computation of Cross Subsidy Surcharge (CSS) based revenue at proposed tariff, revenue on discom wise basis at proposed tariff and status in regard to Standard of Performance (SoP) & Consumer Grievances Redressal Forum (CGRF).

LICENSEES RESPONSE:

The State-owned Distribution Licensees submitted their response to the first Data Deficiency issued on February 14, 2023. It has been observed that for certain points raised in the first deficiency note and the queries that were raised subsequent to first deficiency note are still awaited.

The Technical Validation Session (TVS) on the ARR Petitions of all the Petitioners was conducted on April 18, 2022, at the office of the Commission, which was attended by the senior officials of the Commission and the State-owned Distribution Licensees and during TVS, the State-owned Distribution Licensees explained various issues raised in the deficiencies. Subsequently, minutes of meeting (M.O.M) comprising of pending data / information were issued.

COMMISSION'S DIRECTIONS:

The Commission admits the ARR Petition of the Petitioners. However, it is pertinent to mention here that the ARR Petition for FY 2023-24 submitted by the Petitioners for determination of ARR/Tariff has been delayed from the due date specified in the MYT Regulations, 2019 and the same will be dealt according to the Regulations.

The Commission further directs the State-owned Distribution Licensees to submit the response on the pending matters, immediately. Also, the Petitioners has been directed that they shall furnish further information / clarifications, if any, as deemed necessary by the Commission during the processing of the Petitions and provide the same to the satisfaction of the Commission within the time frame as stipulated by the Commission. Any fail, in compliance of such directions, will compel the Commission to dispose the concerned matter as found deems fit by it based on the available information.



Regulation 5.8 of MYT Regulations, 2019 specifies as under:

Quote

5.8 The Petitioner shall within three working days of issue of the Admittance Order, publish a Public Notice in at least two English and two Hindi daily newspapers having wide circulation in its licence area, outlining the ARR, proposed Tariff, True-Up and such other matters as may be directed by the Commission, and inviting suggestions and objections from the stakeholders and public at large:

Provided that the Petitioner shall also upload on its website the Petition filed before the Commission along with all regulatory filings, information, particulars and documents in the manner stipulated by the Commission. The Petitioner should ensure that there is no requirement of providing personal information for downloading the same:

Unquote

Accordingly, the Petitioners within three working days from the issuance of this Admittance Order shall publish a Public Notice in at least two English and two Hindi daily newspapers having wide circulation in their licence areas, outlining the True-Up, ARR, Tariff proposed, Gap/(Surplus) at proposed tariff, approved and actual Distribution and Transmission losses for FY 2021-22 & 2022-23 along with proposed losses for FY 2023-24, Power Purchase Cost, Bulk Supply Tariff, DBST, Average Cost of Supply, Proposed tariff for each category / sub-category / slab of consumers, wheeling charges, cross subsidy surcharge for Open Access consumers at revenue from proposed tariff, category-wise, sub-category & slab-wise subsidy by GoUP etc. and such other matters, if any, as directed by the Commission, and invite suggestions and objections within 15 days from the date of publication of the Public Notice(s) from the stakeholders and public at large.

The Public Notices should indicate that the stakeholders should regularly check the websites of the Petitioners for further submissions made in respect to these proceedings.

The Petitioners shall also upload on its website the Petitions filed before the Commission along with all regulatory filings, information, particulars, and related documents in their original version (not in zipped or compress folder), which shall be signed digitally and in searchable pdf formats along with all Excel files and as per any other provision of the Regulations and Order of the Commission. The Petitioner shall also ensure that those files are broken into such size which can be easily downloaded. The Petitioners shall also ensure that for downloading the same, there is no requirement of providing personal information. The Petitioners shall not provide or put up any such information, particulars, or documents, which are confidential in nature, without the prior approval of the Commission.

The Petitioners shall inform the Commission, about the details of publication of the Public Notice in the newspapers and uploading on the website along with the links. The



Petitioners are also required to submit the copies of the newspapers and screen shots of the website within 7 days of publication of the Public Notice.

The Commission proposes to hold the Public Hearings in April, 2023, the details of which will be provided subsequently on the Commission's website www.uperc.org.

The Petitioners shall take all necessary steps to ensure the necessary arrangements for smooth functioning of the same in accordance with the guidelines / instructions issued in this regard by the Commission from time to time.

The Commission reserves the right to seek any further information / clarifications as deemed necessary during the processing of these Petitions.

(Vinod Kumar Srivastava)

Member (Law)

(Raj Pratap Singh)

Chairman

Place: Lucknow

Date: February 28, 2023



