Before the
TRIPURA ELECTRICITY REGULATORY COMMISSION
VidyutBhavan ,Bhutoria , Banamalipur , Agartala , Tripura (W),PIN-799001


In the matter of : Remittance of Balance Petition fee (MYT) and Pre-fixed Tariff Petition fee under PM KUSSUM Scheme in favour of Tripura State Electricity Corporation Limited .

CORAM
1 .D .Radhakrishna , Chairman , TERC
2 .Jiban Krishna Sen , Member , TERC

ORDER
Date of Hearing : 02-01-2019 , 05-05-2020
Date of Order : 20-05-2020

Managing Director, Tripura State Electricity Corporation Limited, Agartala vide letter No.F. CMD-TSECL/380/755-58, Dated 24th April, 2020 addressed to Chairman, TERC, Agartala requested to consider relaxation of payment of balance petition fee in respond to the Commission letter No.F. 38/TERC/09/12-14, dated 15th April, 2020. As the letter mentioned the relaxation is in the public interest and therefore the Commission has considered the letter as Suo Motu petition and directed the petitioner to present for the hearing. The case is as follows;

1. Initial Tariff Petition (MYT) for the FY 2016-17 to 2018-19 has been submitted by the Petitioner vide No. F.AGM/C&SO/TC/101/649-54 dated 24-06-2018 along with Petition fee of Rs. 34.80 Lakh which was subsequently returned to TSECL vide No.F.24/TERC/09/104-111 dated 04-07-2018 with a request to resubmit along with requisite fee as per TERC( Miscellaneous Provisions Relating to Petitions fee, etc.) Regulations,2016 considering the rate @0.18/kwh of energy proposed to be handled for the concerned year.

2. TSECL ,herein , Petitioner resubmitted the said MYT petition vide No. F.AGM/C&SO)/101/884-89 dated 13-08-2018 along with the same petition fee i.e. Rs. 34.80 Lac with a commitment to pay required Licence fee.

3. The same has not been accepted by the Commission and Petitioner was asked again vide No. F.38/TERC/09/207-208 dated 05-09-2018 with a request to resubmit the MYT petition for the FY 2016-17 to 2020-21 as the earlier control period has already been expired.

5. Said Petition was heard on 04-11-2019 and daily order was issued on 04-11-2019 (Order No.1 of 2019) and the Petitioner was allowed time for submission of additional documents on or before 12-11-2019. But, Petitioner submitted additional document on 29-11-2019 vide No. F.AGM/C&SO/TC/101/960-63 dated 29-11-2019. Nothing was mentioned regarding payment of balance fee.

6. Commission issued an Order (No. 3 of 2019 dated 02-01-2019) to the Petitioner for complying issues like payment of fee as per existing Regulation, Separating Generation part, Audited account, Energy handled, proper authorisation for submission of Petition (MYT) for FY 2016-17 to 2020-21 etc.

7. Petitioner submitted vide No.DGL/C&T/TERC/2019/244-45 dated 29-02-2020 Supplementary/additional information on Multi Year Tariff for Generation and Distribution business for FY 2016-17 to FY 2020-21 including approval of ARR for FY 2015-16.

8. Petitioner submitted another Petition for determination of prefixed levelised tariff for purchase of Solar from Farmer / developer under PM KUSUM Scheme vide No. DGM/C&T/TERC/2020/264-66 dated 02-03-2020 along with a Petition fee of Rs. 1.00 Lac as against fee of Rs.2.00 lakh as Kusum Scheme is for 5 Mw

9. Petitioner is requested to isolate the Generation Tariff Part in legal way form the Petition(MYT) for the FY 2016-17 to 2020-21 along with some few other information/data.

10. Petitioner was requested again vide No.F.38/TERC/09/12-14 dated 15-04-2020 for remittance of balance fee of Rs. 2,45,66,196.00 and Rs. 1,00,000.00 for the MYT petition and Pre-fixed Tariff Petition under PM KUSUM Scheme.

11. Considering the request of TSECL commission has converted Suo Motu the letter and heard on 05-05-2020 where, representative of Petitioner was present and was asked by Commission to file any other documents they wish to file in addition to the letter and given time as sought time for submission of additional documents if any in respect of the request as TERC (Miscellaneous Provisions Relating to Petitions, Fees etc.) Regulation, 2016. The petitioner has not submitted any documents.

12. ORDER: The Commission has considered the plea / request of Petitioner and observes that Regulations in force does not allow any reduction. The Regulations were framed in 2016 after observing proper formalities. Here it is also to mention that such regulations are in vogue every where. Further the request of petitioner that it will burden the Consumers is beyond comprehension that already Tariff is in force and substantial part is
accounted for. The Tariff is to be decided for the year 2021 and Commission will ensure all factors required to deburden Consumers reduction but the Statutory fees need to be paid by all utilities and all across the country.

13. In view of above, Petitioner is directed to pay balance petition fee for Tariff Petition (MYT) submitted for the FY 2016-17 to 2020-21 considering the energy handled or proposed to be handled during the concerned period as per clause 5.2 (vi) (Annexure-III) of TERC (Miscellaneous Provisions Relating to Petitions, Fees etc.) Regulation, 2016 as the MYT petition has been filed considering Generation, Transmission and Distribution of energy.

14. Petitioner is also directed to pay balance Petition fee for Pre-fixed Tariff Petition under PM KUSUMM Scheme considering the Clause 5.2(iii)(Annexure-III) of TERC (Miscellaneous Provisions Relating to Petitions, Fee etc.) Regulation, 2016

15. Secretary of the Commission is directed to send the copy of the order to all concerned.

Sd/                                                                 Sd/
20-05-2020                                                                 20-05-2020
( Jiban Krishna Sen )                                                                 ( D. Radhakrishna )
Member                                                                 Chairman
TERC, Agartala                                                                 TERC, Agartala.

Certified True Copy
Sd/
20-05-2020
( Er. H. K. Das )
Secretary
TERC, Agartala