

**IN THE JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION  
AT RANCHI**

**Miscellaneous Petition No. 03 of 2022**

Damodar Valley Corporation (DVC) ..... Petitioner

**CORAM: HON'BLE JUSTICE MR. AMITAV KUMAR GUPTA, CHAIRPERSON  
HON'BLE MR. ATUL KUMAR, MEMBER (TECH)**

For the Petitioner :Mr. Supriyo Bhowmick, SE (E), Commercial Deptt., DVC,  
Kolkata

**Date – 13<sup>th</sup> March, 2023**

1. The Petitioner-Damodar Valley Corporation (DVC) has brought the instant petition under Regulation A4 (4.1) of the JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020 for the determination of Single Part Tariff applicable for public EV charging stations operating in the supply area of Damodar Valley Corporation in the State of Jharkhand.
2. The Prayers of the petitioner-DVC are as under: -
  - (a) Admit the present petition for determination of Single Part tariff applicable to the public Electric Vehicle (EV) charging stations.
  - (b) Determine a single part tariff rate for the public EV charging stations and make it applicable from the date of operation (inception of sale) of EV charging station.
  - (c) Pass such other order(s) as the Hon'ble Commission may deem fit and proper keeping in view the facts and circumstances of the case

**Submission of the Petitioner**

3. The petitioner submitted that the Damodar Valley Corporation (DVC) entered into an agreement with Energy Efficiency Services Limited (**EESL**) on 07.10.2021 for installation of EV Public Charging Stations (PCS) at different locations in state of Jharkhand.
4. It was submitted that the EESL vide its letter dated 11.08.2022 applied to DVC for supply of electricity at their installation point at a single part tariff rate with reference to letter dated 14.01.2022 of Ministry of Power, Govt. of India, wherein under para 7.1 which reads as under:

*“The tariff for supply of electricity to Public EV Charging Stations shall be a single part tariff and shall not exceed the “Average Cost of Supply” till 31<sup>st</sup> March, 2025. The same tariff shall be applicable for Battery Charging Station (BCS).”*
5. It was pointed out that DVC was facing difficulty under regulation A4 (4.1) of JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020 to provide supply at a single part tariff as there is no single part tariff rate approved for any category of the consumers in the tariff order dated 30.09.2020 of the petitioner-DVC.

6. The petitioner submitted that DVC in order to remove the aforesaid difficulty has filed the instant petition under clause 17.2 of JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020 and to supply electricity at a rate which has not been approved by this Hon'ble Commission in the Tariff order dated 30.09.2020.
7. The petitioner prayed to approve a single part Tariff Rate equal to the Average Cost of Supply of Rs 4.90 per unit as approved for FY 2020-21 in the tariff order dated 30.09.2020 or any other rate as may be deemed proper, so that the rate may be made applicable for the public EV charging stations in the supply area of DVC in the state of Jharkhand.
8. It was also submitted that Hon'ble West Bengal Electricity Regulatory Commission in its tariff order dated 01.08.2022 of CESC has approved single part tariff for Electric Vehicle Charging Stations equal to the approved average cost of supply.
9. It was pointed out that DVC could not envisage the changed scenario at the time of filling the MYT petition for the period FY 2021-22 to 2025-26 or at the time of filling the Tariff Petition for the period FY 2022-23 which was filed on 30.11.2021, as such, any separate tariff for the consumer category of EV charging stations in the said petition was not claimed by DVC.
10. Therefore, it is submitted by the Petitioner that the present petition has been filed for the determination of Single Part Tariff applicable for public EV charging stations operating in the electricity supply area of Damodar Valley Corporation in the State of Jharkhand.

**Commission's observation and findings**

11. The Commission heard and considered the submissions made by the petitioner and perused the materials available on records.
12. Under Section 86(1)(a) and 86 (1)(k) of the Electricity Act, 2003, the State Commission has to determine tariff for the state, and discharge such other functions as assigned under the Act. The relevant Section of the Electricity Act, 2003 reads as under: -

*“Section 86 Function of State Commission: - (1) The state Commission shall discharge the following functions, namely: -*

*(a) determine the tariff for generation, supply, transmission and wheeling of electricity, wholesale, bulk or retail, as the case maybe, within the State:*

*Provided that where open access has been permitted to a category of consumers under section 42, the State Commission shall determine only the wheeling charges and surcharge thereon ,if any, for the said category of consumers;*

.....

*(k) discharge such other functions as may be assigned to it under this Act.*

13. Thus, under section 86(1)(a) of the Act, the distribution licensee is obligated to get the tariff for retail supply, approved by the Commission. In this connection, it is pertinent to note that the Government of Jharkhand vide Gazette no. 498 dated 7<sup>th</sup> October, 2022 has notified the Jharkhand Electric Vehicle Policy, 2022 and Para 1 of the policy provides as under:-

*“...to ensure sustainability, it is imperative that the future of transportation is electric with zero emissions and carbon footprint.”*

In the result, it is ordered as;

**ORDER**

14. Considering the facts and circumstances of the case, the prayers of the Petitioner are allowed and the Commission approves the Single Part Tariff equal to the Average Cost of Supply (ACoS) i.e. Rs 5.34 per unit as approved by this Commission in order dated 30.01.2023 of the petitioner-DVC for determination of tariff for FY 2021-2022 and it shall be applicable for public EV charging stations operating in the supply area of Damodar Valley Corporation in the State of Jharkhand till further orders.
15. Accordingly, the petition stands disposed off with the aforesaid directions.

Sd/-  
Member (T)

Sd/-  
Chairperson