

# Jharkhand State Electricity Regulatory Commission



Order on  
Determination of ARR for MYT Period from  
FY 2021-22 to FY 2025-26  
and  
Tariff for FY 2021-22  
for  
Damodar Valley Corporation (DVC)

Ranchi  
January 30, 2023



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### List of Abbreviations

Abbreviation	Description
<b>ABR</b>	Average Billing Rate
<b>ACS/ACoS</b>	Average Cost of Supply
<b>AFC</b>	Annual Fixed Charges
<b>APPC</b>	Average Power Procurement Cost
<b>APR</b>	Annual Performance Review
<b>APTEL</b>	Appellate Tribunal for Electricity
<b>ARR</b>	Aggregate Revenue Requirement
<b>BCCL</b>	Bharat Coking Coalfields Limited
<b>BG</b>	Bank Guarantee
<b>BTPS</b>	Bokaro Thermal Power Station
<b>CAGR</b>	Compound Average Growth Rate
<b>CCL</b>	Central Coalfields Limited
<b>CERC</b>	Central Electricity Regulatory Commission
<b>CGRF</b>	Consumer Grievance Redressal Forum
<b>CSGS</b>	Central Sector Generating Stations
<b>CSS</b>	Cross Subsidy Surcharge
<b>CTPS</b>	Chandrapura Thermal Power Station
<b>DPS</b>	Delayed Payment Surcharge
<b>DVC</b>	Damodar Valley Corporation
<b>DSTPS</b>	Durgapur Steel Thermal Power Station
<b>DTPS</b>	Durgapur Thermal Power Station
<b>EA</b>	Electricity Act, 2003
<b>ECR</b>	Energy Charge Rate
<b>EHT</b>	Extra High Tension
<b>ERPC</b>	Eastern Region Power Committee
<b>FPA</b>	Fuel Purchase Adjustment
<b>FSTPS</b>	Farakka Super Thermal Power Station
<b>FY</b>	Financial Year
<b>GFA</b>	Gross Fixed Assets
<b>GoI</b>	Government of India
<b>GoJ</b>	Government of Jharkhand
<b>GOMD</b>	Grid Operation and Maintenance Division
<b>HP</b>	Horse Power
<b>HT</b>	High Tension
<b>IAS</b>	Irrigation and Agriculture Services
<b>IEX</b>	Indian Energy Exchange
<b>IoWC</b>	Interest on Working Capital
<b>IPP</b>	Independent Power Producer
<b>JBVNL</b>	Jharkhand Bijli Vitran Nigam Limited
<b>JSEB</b>	Jharkhand State Electricity Board
<b>JSERC</b>	Jharkhand State Electricity Regulatory Commission
<b>JUSCO</b>	Jamshedpur Utilities & Services Company



<b>KBUNL</b>	Kanti Bijlee Utpadan Nigam Limited- Muzaffarpur Thermal Power Station
<b>MTPS</b>	Kahalgaon Thermal Power Station
<b>KHTPS</b>	Koderma Thermal Power Station
<b>kVA(h)</b>	kilo Volt-Ampere (hour)
<b>kW(h)</b>	kilo Watt (hour)
<b>LF</b>	Load Factor
<b>LT</b>	Low Tension
<b>LTIS</b>	Low Tension Industrial Services
<b>MD</b>	Maximum Demand
<b>MDI</b>	Maximum Demand Indicator
<b>MES</b>	Military and Engineering Services
<b>MHS</b>	Maithon Hydropower Station
<b>MOD</b>	Merit Order Despatch
<b>MoP</b>	Ministry of Power
<b>MPL</b>	Maithon Power Limited
<b>MTPS</b>	Mejia Thermal Power Station
<b>MU</b>	Million Units
<b>MVA</b>	Mega Volt Ampere
<b>MW</b>	Megawatt
<b>MYT</b>	Multi Year Tariff
<b>NTI</b>	Non-Tariff Income
<b>O&amp;M</b>	Operation & Maintenance
<b>P&amp;G</b>	Pension & Gratuity
<b>PAF</b>	Plant Availability Factor
<b>PF</b>	Power Factor
<b>PGCIL</b>	Power Grid Corporation of India Limited
<b>PHS</b>	Panchet Hydropower Station
<b>POSO</b>	Power System Operation Corporation Limited
<b>PPA</b>	Power Purchase Agreement
<b>PSU</b>	Public Sector Undertaking
<b>RE</b>	Renewable Energy
<b>REC</b>	Renewable Energy Certificates
<b>RPO</b>	Renewable Purchase Obligation
<b>RTPS</b>	Raghunathpur Thermal Power Station
<b>RTS</b>	Railway Traction Services
<b>SAIL</b>	Steel Authority of India Limited
<b>SBI</b>	State Bank of India
<b>SD</b>	Security Deposit
<b>SERC</b>	State Electricity Regulatory Commission
<b>SS</b>	Streetlight Services
<b>T&amp;D</b>	Transmission & Distribution
<b>THS</b>	Tilaiya Hydropower Station
<b>TOD</b>	Time of Day



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<b>TSL</b>	Tata Steel Limited
<b>TSTPS</b>	Talcher Super Thermal Power Station
<b>TVS</b>	Technical Validation Session
<b>UDAY</b>	Ujwal Discom Assurance Yojana
<b>UI</b>	Unscheduled Interchange
<b>USO</b>	Universal Supply Obligation
<b>WB</b>	West Bengal
<b>WBERC</b>	West Bengal Electricity Regulatory Commission
<b>WBSEB</b>	West Bengal State Electricity Board
<b>WBSEDCL</b>	West Bengal State Electricity Distribution Company Limited



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**BEFORE**

**Jharkhand State Electricity Regulatory Commission, Ranchi**

**Case (Tariff) No.: 01 of 2021**

**In the matter of:**

**Petition for  
Determination of ARR for MYT Period from  
FY 2021-22 to FY 2025-26  
and  
Tariff for FY 2021-22**

**In the matter:**

Damodar Valley Corporation (DVC)

DVC Towers, V.I.P. Road, Kolkata- 700 054..... **Petitioner**

**PRESENT**

Shri. Justice Amitav K. Gupta

**CHAIRPERSON**

Shri. Atul Kumar

**Member (Technical)**

Shri. Mahendra Prasad

**Member (Legal)**

**Order dated January 30, 2023**

Damodar Valley Corporation (hereinafter referred to as 'DVC' or the 'Petitioner') has filed Petition dated January 06, 2021 for approval of MYT Petition for the period from FY 2021-22 to FY 2025-26 and tariff determination for FY 2021-22.



## **A 1 INTRODUCTION**

### **Jharkhand State Electricity Regulatory Commission**

- 1.1 The Jharkhand State Electricity Regulatory Commission (hereinafter referred to as the JSERC or the Commission) was established by the Government of Jharkhand under Section 17 of the Electricity Regulatory Commission Act, 1998 on August 22, 2002. The Commission became operational with effect from April 24, 2003.
- 1.2 The Government of Jharkhand vide its notification dated August 22, 2002 had defined the functions of JSERC as per Section 22 of the Electricity Regulatory Commission Act, 1998 to be the following, namely:
  - (a) to determine the tariff for electricity, wholesale, bulk, grid or retail, as the case may be, in the manner provided in Section 29;
  - (b) to determine the tariff payable for the use of the transmission facilities in the manner provided in Section 29;
  - (c) to regulate power purchase and procurement process of the transmission utilities and distribution utilities including the price at which the power shall be procured from the generating companies, generating stations or from other sources for transmission, sale, distribution and supply in the State;
  - (d) to promote competition, efficiency and economy in the activities of the electricity industry to achieve the objects and purposes of this Act.
- 1.3 After the Electricity Act, 2003 came into force, the earlier Electricity Regulatory Commission Act of 1998 stands repealed and the functions of State Electricity Regulatory Commissions (SERCs) are now defined under Section 86 of the Act.
- 1.4 In accordance with Section 86 (1) of the Act, the JSERC discharges the following functions:
  - (a) determine the tariff for generation, supply, transmission and wheeling of electricity, wholesale, bulk or retail, as the case may be, 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;
  - (b) regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies



- or licensees or from other sources through agreements for purchase of power for distribution and supply within the State;
- (c) facilitate intra-state transmission and wheeling of electricity;
  - (d) issue licences to persons seeking to act as transmission licensees, distribution licensees and electricity traders with respect to their operations within the State;
  - (e) promote cogeneration and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee;
  - (f) adjudicate upon the disputes between the licensees and generating companies; and to refer any dispute for arbitration;
  - (g) levy fee for the purposes of this Act;
  - (h) specify State Grid Code consistent with the Grid Code specified under Clause (h) of sub-section (1) of Section 79;
  - (i) specify or enforce standards with respect to quality, continuity and reliability of service by licensees;
  - (j) fix the trading margin in the intra-state trading of electricity, if considered, necessary;
  - (k) discharge such other functions as may be assigned to it under this Act.
- 1.5 The Commission has also to advise the State Government as per sub section 2 of Section 86 of the Act, on all or any of the following matters, namely:
- (a) promotion of competition, efficiency and economy in activities of the electricity industry;
  - (b) promotion of investment in electricity industry;
  - (c) reorganisation and restructuring of electricity industry in the State;
  - (d) matters concerning generation, transmission, distribution and trading of electricity or any other matter referred to the State Commission by that Government.
- 1.6 The State Commission ensures transparency while exercising its powers and discharging its functions.
- 1.7 In discharge of its functions, the State Commission is also guided by the National Tariff Policy as brought out by GoI in compliance to Section 3 of the Act. The objectives of the National Tariff Policy are to:
- (a) ensure availability of electricity to consumers at reasonable and competitive rates;
  - (b) ensure financial viability of the sector and attract investments;



- (c) promote transparency, consistency and predictability in regulatory approaches across jurisdictions and minimize perceptions of regulatory risks;
- (d) promote competition, efficiency in operations and improvement in quality of supply.

### **Damodar Valley Corporation (DVC)**

- 1.8 Damodar Valley Corporation (hereinafter referred to as DVC or the Petitioner), is a statutory body incorporated under the Damodar Valley Corporation Act, 1948, having multifarious functions. Regarding the electricity, DVC undertakes generation of electricity and is therefore a generating company within the meaning of Section 2 (28) of the Electricity Act, 2003. DVC also undertakes transmission of electricity in the Damodar valley area which falls within the territorial limits of the two states namely, West Bengal and Jharkhand. It, therefore, undertakes inter-state transmission of electricity and operates inter-state transmission system within the meaning of Section 2 (36) of the Electricity Act, 2003. DVC also undertakes the sale of electricity to West Bengal State Electricity Distribution Company Limited (WBSEDCL) and Jharkhand Bijli Vitran Nigam Limited (JBVNL) in its capacity generally as a generating company. This is bulk sale of electricity by a generating company to a distribution licensee within the meaning of Section 62 (1) (a) of the Electricity Act, 2003. In addition to the above, DVC undertakes the retail sale and supply of electricity to the consumers in the Damodar Valley area under the provisions of Section 62 (d) read with Section 86 (1) of the Electricity Act, 2003.
- 1.9 DVC, being a statutory body constituted under the DVC Act, 1948, is a Public Sector Undertaking (PSU). As envisaged under Section 79 (1) (a) of the Electricity Act, 2003, the tariff for generation of electricity is to be decided by the Central Electricity Regulatory Commission (CERC). Similarly, with regards to the inter-state transmission, DVC again is regulated by CERC and tariff for composite (inter-state) generation & transmission is to be determined by the CERC in terms of Section 79 (1) (c) and (d) of the Electricity Act, 2003.
- 1.10 With regards to the retail sale and supply of electricity, DVC covers the entire Damodar Valley area which falls in two contiguous States, namely, the State of West Bengal and the State of Jharkhand. Thus, tariff for retail sale and supply of electricity in the Damodar Valley area is governed by the provisions of Section 62 (d) read with Section 86 (1) of the Electricity Act, 2003 and has to be determined by the respective Electricity Regulatory Commissions in the states of West Bengal and Jharkhand. The Petitioner is a Distribution Licensee under the provisions of the Electricity Act, 2003 (EA, 2003) having licence to supply electricity in the State of Jharkhand.



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### **The Petitioner's Prayers**

1.11 The Petitioner in Petition No. 01 of 2021 has prayed before the Commission as mentioned below:

- ***“Admit the present petition for determination of Aggregate Revenue Requirement (ARR) and Distribution Tariff for the MYT period.***
- ***Determine the ARR for the years 2021-22 to 2025-26 and Distribution Tariff for FY 2021-22 based on the submission of DVC.***
- ***Finalize and allow the Revenue Gap / surplus for the period FY 2016-17 to 2020-21 along with applicable carrying cost through suitable enhancement of tariff.***
- ***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.”***

### **Scope of the Present Order**

1.12 The Commission in this Order has approved the ARR for the MYT period for the Control Period from FY 2021-22 to FY 2025-26 and has dealt with the Petitioner's Tariff proposal for FY 2021-22.

1.13 While approving this Order, the Commission has taken into consideration:

- a) Material placed on record by the Petitioner
- b) Provisions of the Electricity Act, 2003;
- c) Principles laid down in the National Electricity Policy;
- d) Principles laid down in the Tariff Policy;
- e) Provisions of the JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020 (hereinafter referred to as “Tariff Regulations, 2020” or “the Regulations”);

1.14 Accordingly, the Commission has scrutinized the Petition in detail and hereby issues the Order on approval of MYT Petition for the Control Period from FY 2021-22 to FY 2025-26 and Tariff determination for FY 2021-22 for DVC.



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## **A 2 PROCEDURAL HISTORY**

### **Background**

- 2.1 The Commission issued Order on True-up for FY 2016-17, Annual Performance Review for FY 2017-18 & FY 2018-19 and determination of ARR & Tariff for FY 2019-20 dated May 28, 2019.
- 2.2 The Commission has also issued Order on True-up for FY 2017-18 vide its Order dated September 29, 2020.
- 2.3 The Commission has approved the True up for FY 2018-19, Annual Performance Review for FY 2019-20 and ARR & Tariff for FY 2020-21 on September 30, 2020 while disposing the Petition No. 01 of 2020 & 02 of 2020.
- 2.4 The Petitioner in the current Petition, filed on January 06, 2021 has sought approval of MYT Petition for the Control Period from FY 2021-22 to FY 2025-26 and Tariff determination for FY 2021-22.

### **DVC Case History**

- 2.5 Central Electricity Regulatory Commission (CERC) by Order dated October 3, 2006, decided the tariff for DVC for its functions of inter-state generation and transmission of electricity and directed that the tariff so determined should be made effective for the period April 1, 2006 to March 31, 2009.
- 2.6 DVC, aggrieved by the order dated October 3, 2006 passed by CERC, had filed an appeal against the said Order before the Hon'ble APTEL. Hon'ble APTEL, before passing its final Judgment in the appeal filed by DVC against the aforementioned Order by CERC, issued several interim orders dated December 6, 2006, January 15, 2007 and February 26, 2007, restraining the State Commissions of West Bengal and Jharkhand from passing orders for determination of distribution and retail tariffs for DVC till its final judgment. Hon'ble APTEL, by Judgment dated November 23, 2007, allowed the appeal filed by DVC and directed CERC to determine the revenue requirements and inter-state generation and transmission tariff for DVC for the period FY 2006-07 to FY 2008-09, *de-novo*, in the terms laid down in its Order. Subsequently, the CERC in accordance with the directions of the Hon'ble APTEL revised the ARR and tariff for inter-state generation and transmission of electricity for the period FY 2006-07 to FY 2008-09 by its Order dated August 6, 2009.



- 2.7 Aggrieved by the Order passed by the CERC on August 6, 2009, DVC again filed an appeal against the said Order before Hon'ble APTEL. Hon'ble APTEL vide Interim Order dated September 16, 2009 allowed WBERC and JSERC to fix the retail supply tariff for FY 2010-11 after considering the generation tariff as fixed by CERC in its Order dated August 6, 2009 as the input cost but not issue any final orders in this regard. Consequently, DVC filed the Petition for determination of ARR and retail tariffs for the period FY 2006-07 to FY 2010-11 to the Commission on October 31, 2009. Since the matter was sub-judice before the Hon'ble APTEL and there was a direction for not passing any final retail tariff Order, the Commission kept the Petition pending awaiting final order of the Hon'ble APTEL.
- 2.8 The Hon'ble APTEL, vide its Order dated May 10, 2010, directed DVC to implement the generation tariff as determined by the CERC in its Order dated August 6, 2009 and to give effect to any refund to its consumers arising out of implementation of the said Order. The relevant extract of the said Order is reproduced below:

*“107. Since we do not find any substance in the grounds raised in the Appeal, we deem it fit to dismiss the Appeal as devoid of merits. Consequently, we **direct the Appellant (DVC) to implement the Tariff as determined by the Central Commission vide its Order dated, 6th August, 2009.** DVC is also directed to revise the electricity bills raised by it for electricity consumption during April, 2006 onwards of its licensees and HT consumers and **refund the excess amount billed and collected along with the interest at the rate of 6 per cent per annum in line with Section 62 (6) of The Electricity Act, 2003...**” (Emphasis added)*

- 2.9 Aggrieved by the said Order of the Hon'ble APTEL, DVC filed an appeal before the Hon'ble Supreme Court of India, being No. C.A. No. 4881/ 2010. The Hon'ble Supreme Court in its Order dated July 9, 2010, stayed refund. The relevant part of the said Order is reproduced below:

*“In the meantime, parties will submit before us the various disputed items to be taken into account in Tariff Fixation as well as the relevant documents on which Damodar Valley Corporation would be relying upon at the final hearing...**Until further orders, there shall be stay on refund.**” (Emphasis added)*

- 2.10 Hon'ble APTEL, by its Order dated May 10, 2010, directed the Petitioner to approach the concerned SERCs for finalizing the retail tariffs, the relevant extract is being reproduced below:



*“107. Thereafter, the DVC is directed to approach the concerned State Electricity Commissions for getting the final Order relating to the Retail Tariff who in turn will fix the retail Tariff according to law.”*

- 2.11 The Commission, in line with the Judgment of the Hon’ble APTEL in its aforementioned Order, initiated the process of review of the Tariff Petitions submitted by the Petitioner and issued the provisional Order on ARR for FY 2006-07 to FY 2012-13 on 22<sup>nd</sup> November, 2012.
- 2.12 The Petitioner subsequently submitted the final True-up Petition for FY 2006-07 to FY 2012-13 along with the MYT Petition for the Control Period from FY 2013-14 to FY 2015-16 on February 28, 2014. The Commission while issuing the MYT Order for the Control Period FY 2013-14 to FY 2015-16 on September 04, 2014 did not undertake the final True-up for FY 2006-07 to FY 2012-13 as the matter was sub-judice. The Commission, in the said Order, observed as follows:

*“5.7 In the Tariff Order dated 22<sup>nd</sup> November 2012, the Commission had approved a cumulative revenue surplus of Rs.424.38 Cr for the period FY 2006-07 to FY 2008-09. However, as the true up for the above-mentioned years was provisional subject to the final decision of the Hon’ble Supreme Court in its appeal C.A. No. 4881/2010, the Commission had not allowed any pass through of this surplus along with the revenue gap approved for FY 2010-11 and FY 2011-12 to be adjusted once the final decision is made in this regard.*

*5.8 In view of above, the Commission is of the opinion that as the True up for period FY 2006-07 to FY 2008-09 is still subject to final judgement of the Hon’ble Supreme Court with respect to the appeal No. C.A. No. 4881/2010 filed by DVC against the Order of ATE dated 10<sup>th</sup> May 2010; the Commission has not made any adjustment in revenue surplus approved for this period. This would be a pass through once the final judgement is issued in this matter.*

*5.9 With respect to True up for FY 2009-10 to FY 2012-13 in accordance with the Final Tariff orders issued by CERC, the Commission is of the view that detailed analysis should be carried out to assess the impact of the orders. In this regard, several consumers have represented in front of the Commission for approval of compensation as per the CERC regulations due to them for refund of excess capacity charges recovered by DVC. M/s Bihar Foundry & Castings Ltd being a HT consumer within the command area of DVC has preferred an appeal before the*



*Hon'ble Supreme Court vide appeal No. SLP (Civil) No 10945 of 2012 for refund of excess of capacity charges realised by DVC.*

....

*5.14 In view of above, the Commission is of the opinion that final true up for the period FY 2009-10 to FY 2012-13 shall be undertaken on finalisation of compensation as per the CGRF and final judgement of Supreme Court in appeal no. SLP (Civil) No 10945 of 2012 for refund of excess of capacity charges realised by DVC.*

*5.15 Accordingly, the Commission has not considered any true up for previous years revenue gap/surplus in this order.”*

2.13 One of the HT consumer of DVC, Anjaney Ferro Alloys, filed an Appeal before the Hon'ble APTEL, against the Commission's Order dated September 04, 2014 submitting that the Commission ought to have undertaken final True-up of the of ARR for FY 2006-07 to FY 2012-13. The Hon'ble APTEL, agreeing with the view of the Commission that the matter of True-up was sub-judice, upheld the Order of the Commission. Anjaney Ferro Alloys preferred an appeal before the Hon'ble Supreme Court of India (CA No. 7383/2016) against the Order dated March 23, 2016 passed by the Hon'ble APTEL.

2.14 The Hon'ble Supreme Court of India, vide its Judgment dated October 26, 2016, directed the Commission to take-up the issue of True-up of previous years and make the decision subject to the result of Civil Appeal No. 4881 of 2010. It reads as:

*“.. Therefore, this appeal is disposed of with a direction to Respondent No.1- Jharkhand State Electricity Regulatory Commission to take up the true-up issue and pass the required Orders within a period of six months from today.*

*However, the Commission is free to make the decision subject to the result of Civil Appeal No. 4881 of 2010 in case the said civil appeal is not disposed of before the said period.”*

2.15 In accordance with the above, the Commission issued an Order on True-up from FY 2006-07 to FY 2013-14 and Annual Performance Review for FY 2014-15 on April 19, 2017 and the Order on True-up for FY 2015-16 and ARR for FY 2016-17 to FY 2020-21 on May 18, 2018.



2.16 The Commission in its MYT Order dated May 18, 2018 has not considered the surplus till FY 2014-15 to be passed on to the consumers considering the following Judgment in Order dated 19.01.2018 in Case No 07 of 2017:

*“In view of the said admitted position and the facts and circumstances appearing on record, we are of the view that during the pendency of Appeal No. 198 of 2017 filed by the petitioner in this case and Appeal No. 163 of 2017 filed by the respondent, DVC, before the Hon’ble Appellate Tribunal for Electricity, the order dated 19.4.2017 passed in Case (T) No. 02 of 2016 cannot be said to have attained its finality and it would not be proper to pass any order in the instant case for refund of excess charges claimed by the petitioners at this stage.”*

2.17 The Hon’ble Supreme Court in its Judgment in Civil Appeal No. 4881 of 2010, dated December 3, 2018, dismissed the appeal as:

*“... The upshot of the above discussion is that the appellant has not made out a case for interference. **The appeal fails and is dismissed.** The parties will bear their respective costs.” (Emphasis Added)*

2.18 The Commission in its Order dated May 28, 2019 also directed the Petitioner as below:

*“... 8.10 In addition, since the Appeal I.A. no. 1188 of 2018 & DFR No. 2430 of 2018, filed on the Order of the Commission dated May 18, 2018 is sub-judice, the Commission has not proposed any recovery for the past gaps.*

*8.11 The Commission however notes that the said surplus shall increase as carrying cost is to be allowed on the amount not adjusted/refunded. It would be very difficult to refund/adjust the previous years’ surplus if it is not gradually reduced.*

*8.12 The Commission therefore, directs the Petitioner to propose a roadmap for adjustment of the abovementioned surplus clearly stating the period of treatment and the manner in which it proposes to do within two months of issue of this Order.”*

2.19 The Petitioner has submitted a separate petition for determination of ARR and category wise tariff schedule for the period from FY 2006-07 to FY 2011-12 and adjustment of Revenue Gap/(Surplus) till FY 2014-15 for distribution activity of DVC in the State of Jharkhand. The above said petition is under consideration and will be dealt while disposing the above said petition.



### Information Gaps in the Petition

- 2.20 As part of the true-up and tariff determination exercise, several deficiencies/information gaps were observed in the Petitions submitted by the Petitioner which were communicated to the Petitioner vide Letter No. JSERC/Case (Tariff) No. 01 of 2021/438 dated February 11, 2021.
- 2.21 The Petitioner submitted its response to the aforesaid letter and furnished additional data/information to the Commission vide letter no. Coml./Tariff/JSERC/MYT 2021-26/4736 dated February 26, 2021 and additional information on January 02, 2022.
- 2.22 The Commission has scrutinized the additional data/ information supporting documents as supplied by the Petitioner and has considered the same while passing this Order.
- 2.23 In order to provide adequate opportunities to all stakeholders and general public, as mandated under Section 64 (3) of the Electricity Act 2003 and in relevant provisions of Regulation(s) framed by the Commission and in order to ensure transparency in the process of tariff determination, the Commission decided to hold Public Hearing on December 05, 2022 and December 07, 2022.

### Inviting Public Comments/Suggestions

- 2.24 After the initial scrutiny of Petition filed by the Petitioner, the Commission directed the Petitioner to issue a public notice inviting comments/ suggestions on the Petition from public and to make available copies of the Petitions to the members of general public on request.
- 2.25 The public notice was subsequently issued by the Petitioner in various newspapers and a period of twenty-one (21) days was given to the members of the general public for submitting their comments/suggestions.

**Table 1: List of newspapers and dates of publication of public notice by the Petitioner**

Newspaper	Date of Publication
Dainik Bhaskar	03.03.2021 & 04.03.2021
Dainik Jagran	03.03.2021 & 04.03.2021
Morning India	03.03.2021 & 04.03.2021
The Hindustan Times	03.03.2021 & 04.03.2021

- 2.26 The Commission has also organized a public hearing December 05, 2022 and December 07, 2022 where an additional opportunity was provided to all the Stakeholders to submit



their comments/suggestions on the above said Petition. The details of newspapers wherein the notice was published by the Commission are as under:

**Table 2: List of newspapers and dates of publication of public notice by the Commission**

<b>Newspaper</b>	<b>Date of Publication</b>
Prabhat Khabar	22.11.2022 & 04.12.2022
Dainik Jagran	22.11.2022 & 04.12.2022
The Times of India	22.11.2022 & 04.12.2022
The Hindustan Times	22.11.2022 & 04.12.2022

### **Submission of Comments/Suggestions and Conduct of Public Hearing**

2.27 Written objections/ comments/ suggestions on the Petitions were received from various stakeholders. In addition to the written suggestions, various stakeholders also gave their comments/suggestions on the Petitions filed during the Hearings. The objections/ comments/ suggestions of the Public, Petitioner's responses and Commission's views thereon are detailed in **Section A 4** of this Order.



### A 3 BRIEF FACTS OF THE PETITION

#### Aggregate Revenue Requirement

3.1 The Summary of Aggregate revenue requirement for MYT Control period from FY 2021-22 to FY 2025-26 is summarized as below in tabulated form:

**Table 3: ARR projected by Petitioner for FY 2021-22 to FY 2023-24 (Rs. Crore)**

Particular	2021-22		2022-23		2023-24	
	Petition		Petition		Petition	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of own Generation	5129.4	4075.53	5673.58	4137.22	6129.18	4216.88
Power purchase cost from other sources	513.58	-	302.11	-	308.49	-
Tariff filling fees CERC	-	4.76	-	4.77	-	4.81
Environmental Protection and Other Cess	-	0.10	-	0.10	-	0.10
Less: Non-tariff Income (NTI)	26.84	-	28.29	-	30.13	-
Add: Interest on Temporary Financial Accommodation	23.48	-	24.75	-	26.36	-
Add: Legal Charges & Consultancy Fees	-	1.89	-	1.89	-	1.89
<b>Total</b>	<b>5639.63</b>	<b>4082.28</b>	<b>5972.16</b>	<b>4143.98</b>	<b>6,433.91</b>	<b>4,223.69</b>
Ratio of Jharkhand	45.91%	45.91%	46.40%	46.40%	46.86%	46.86%
ARR before IWC, Interest on SD & tariff filling fees in the licensed area of Jharkhand	2589.23	1874.23	2771.28	1922.95	3014.63	1979.02
Cost of Solar & Non Solar Power and REC Purchased to meet Solar & Non-Solar RPO in the State of Jharkhand	241.13	-	263.68	-	286.25	-
Interest on Working Capital	-	68.82	-	73.43	-	78.37
Interest on Security Deposit	-	8.27	-	8.70	-	9.15
Tariff Filing Fees & Publication Expenses in JSERC	-	0.90	-	92.32	-	0.95
Rebate and discount allowed to consumers	97.60	-	102.87	-	109.56	-
ARR for Jharkhand Area	<b>2927.96</b>	<b>1952.22</b>	<b>3137.84</b>	<b>2006.01</b>	<b>3410.44</b>	<b>2067.49</b>
<b>Total ARR</b>	<b>4880.18</b>		<b>5143.85</b>		<b>5477.93</b>	
Unit sale	7885.99		8324.99		8763.99	
<b>Per Unit Cost</b>	<b>6.19</b>		<b>6.18</b>		<b>6.25</b>	

**Table 4: ARR projected by Petitioner for FY 2024-25 to FY 2025-26 (Rs. Crore)**

Particular	2024-25		2025-26	
	Petitioner		Petitioner	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of own Generation	6635.15	4256.73	7170.94	4298.72
Power purchase cost from other sources	315.7	-	322.7	-
Tariff filling fees CERC	-	4.86	-	4.91



Particular	2024-25		2025-26	
	Petitioner		Petitioner	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Environmental Protection and Other Cess	-	0.1	-	0.1
Less: Non-tariff Income (NTI)	32.00	-	33.97	-
Add: Interest on Temporary Financial Accommodation	28	-	29.72	-
Add: Legal Charges & Consultancy Fees	-	1.89	-	1.89
<b>Total</b>	<b>6946.85</b>	<b>4263.58</b>	<b>7489.40</b>	<b>4305.62</b>
Ratio of Jharkhand	47.27%	47.27%	47.66%	47.66%
ARR before IWC, Interest on SD & tariff filling fees in the licensed area of Jharkhand	3283.89	2015.47	3569.19	2051.91
Cost of Solar & Non-Solar Power and REC Purchased to meet Solar & Non-Solar RPO in the State of Jharkhand	308.86	-	331.49	--
Interest on Working Capital	-	83.39	-	88.66
Interest on Security Deposit	-	9.62	-	10.12
Tariff Filing Fees & Publication Expenses in JSERC	-	0.98	-	0.98
Rebate and discount allowed to consumers	116.37	-	123.52	-
<b>ARR for Jharkhand Area</b>	<b>3709.12</b>	<b>2109.45</b>	<b>4024.20</b>	<b>2151.69</b>
<b>Total ARR</b>	<b>5818.57</b>		<b>6,175.88</b>	
<b>Unit sale</b>	<b>9202.99</b>		<b>9641.98</b>	
<b>Per Unit Cost</b>	<b>6.32</b>		<b>6.41</b>	

3.2 DVC has proposed TOD based Tariff structure, on optional basis to HTS and HT Institutional Consumers.

**Table 5: TOD Tariff proposed by Petitioner**

Consumer Category	Existing component of Tariff (2020-21)		Proposed component of Tariff (2021-22)	
	Energy Charges	Fixed Charges	Energy Charges	Fixed Charges
<b>LT Consumers:</b>				
	(Rs/kWh)	(Rs/Conn./Month)	(Rs/kWh)	(Rs/Conn./Month)
LT (Domestic)	4.25	75	4.25	75
	(Rs/kWh)	(Rs/KW/Month)	(Rs/kWh)	(Rs/KW/Month)
LT (Commercial)	4.20	150	4.41	158
<b>HT Consumers:</b>				
	(Rs/kVAh)	(Rs/KVA/Month)	(Rs/kVAh)	(Rs/KVA/Month)
Industries (11 kV)				
Normal (6:00-17:00)	3.75	350	3.78	1000.08
Peak (17:00-23:00)	4.50		4.53	
Off-Peak (23:00-06:00)	3.19		3.21	
Industries (33 kV)				
Normal (6:00-17:00)	3.75	350	3.78	1000.08
Peak (17:00-23:00)	4.50		4.53	



Consumer Category	Existing component of Tariff (2020-21)		Proposed component of Tariff (2021-22)	
	Energy Charges	Fixed Charges	Energy Charges	Fixed Charges
Off-Peak (23:00-06:00)	3.19		3.21	
Industries (132 kV)				
Normal (6:00-17:00)	3.75	350	3.78	1000.08
Peak (17:00-23:00)	4.50		4.53	
Off-Peak (23:00-06:00)	3.19		3.21	
Industries (220 kV)				
Normal (6:00-17:00)	3.75	350	3.78	1000.08
Peak (17:00-23:00)	4.50		4.53	
Off-Peak (23:00-06:00)	3.19		3.21	
Licensees (33 kV)				
Normal (6:00-17:00)	3.40	350	3.43	1000.08
Peak (17:00-23:00)	4.08		4.11	
Off-Peak (23:00-06:00)	2.89		2.91	
Licensees (132 kV)				
Normal (6:00-17:00)	3.40	350	3.43	1000.08
Peak (17:00-23:00)	4.08		4.11	
Off-Peak (23:00-06:00)	2.89		2.91	
Traction (132 kV)				
Normal (6:00-17:00)	3.40	350	3.43	1000.08
Peak (17:00-23:00)	4.08		4.11	
Off-Peak (23:00-06:00)	2.89		2.91	

3.3 In addition to TOD based Tariff structure, the Petitioner has also proposed Non-ToD based tariff as tabulated below:

**Table 6: Non-TOD Tariff proposed by Petitioner**

Consumer Category	Existing component of Tariff (2020-21)		Proposed component of Tariff (2021-22)	
	Energy Charges	Fixed Charges	Energy Charges	Fixed Charges
<b>LT Consumers:</b>				
	(Rs/kWh)	(Rs/Conn./Month)	(Rs/kWh)	(Rs/Conn./Month)
LT (Domestic)	4.25	75	4.25	75
	(Rs/kWh)	(Rs/KW/Month)	(Rs/kWh)	(Rs/KW/Month)



Consumer Category	Existing component of Tariff (2020-21)		Proposed component of Tariff (2021-22)	
	Energy Charges	Fixed Charges	Energy Charges	Fixed Charges
LT (Commercial)	4.20	150	4.41	158
<b>HT Consumers:</b>				
	(Rs/kVAh)	(Rs/KVA/Month)	(Rs/kVAh)	(Rs/KVA/Month)
Industries (11 kV)	3.75	350	3.84	1000.08
Industries (33 kV)	3.75	350	3.84	1000.08
Industries (132 kV)	3.75	350	3.84	1000.08
Industries (220 kV)	3.75	350	3.84	1000.08
Licensees (33 kV)	3.40	350	3.48	1000.08
Licensees (132 kV)	3.40	350	3.48	1000.08
Traction (132 kV)	3.40	350	3.48	1000.08



## A 4 PUBLIC CONSULTATION PROCESS

- 4.1 The Petition filed by the Petitioner evoked responses from several stakeholders. The Public Hearings were held on two days to ensure the maximum public participation and transparency wherein stakeholders put forth their comments and suggestions before the Commission in the presence of the Petitioner. The list of the participants during the virtual public hearings is attached as **Annexure-1** to this Order.
- 4.2 In course of public hearings, the Commission also allowed persons/representatives of entities who had not submitted prior written representations but attended the public hearings to express their views regarding the Petition filed by the Petitioner and also about ways and means to improve the services rendered by the Petitioner.
- 4.3 The written as well as comments and suggestion of the members of the public expressed during the Public Hearings along with the response thereon of the Petitioner and the views of the Commission are detailed hereunder:

### **Own Generation Cost**

### **Fixed Charges and Energy Charges in respect of Generating Stations**

#### *Public Comments/ Suggestions*

- 4.4 The Stakeholder submitted that for the computation of own generation cost of generating stations has considered the following:
  - AFC for FY 2021-22 to FY 2023-24 based on the figures in its MYT Petition submitted before Hon'ble CERC.
  - AFC for FY 2024-25 and FY 2025-26 based on the "past trend analysis" with different escalation rates ranging up to 6.49% per year.
  - Landed price of coal in FY 2019-20 has been escalated by 3.91% each year to arrive at the ECR for FY 2021-22 to FY 2025-26.
- 4.5 The above mentioned approach is contrary to the provisions of Clause 10(4) of the CERC (Terms and Conditions of Tariff) Regulations 2019 ("CERC Regulations 2019"). It is settled in law that the DVC is bound to consider the input cost for its generating stations and T&D system as per CERC Orders. The CERC Regulations 2019 expressly provides that the generating companies are bound to bill the same fixed charges as applicable as on 31.3.2019 for the period starting from 01.4.2019 till approval of final capacity charges by the Hon'ble CERC. Further, in respect of energy charges, the proviso to Clause 10(4)



provides that the energy charges w.e.f 01.4.2019 shall be as per the operational norms specified in the CERC Regulations 2019. Thus, it is evidently clear that there is neither any provision to consider escalation in case of fixed charges nor in case of energy charges. The relevant extracts of Clause 10(4) of the CERC Regulations 2019 are reproduced below:

*"(4) In case of the existing projects/ the generating company or the transmission licensee, as the case may be, shall continue to bill the beneficiaries or the long term customers at the capacity charges or the transmission charges respectively as approved by the Commission and applicable as on 31.3.2019 for the period starting from 1.4.2019 till approval of final capacity charges or transmission charges by the Commission in accordance with these regulations:*

*Provided that the billing for energy charges w.e.f. 1.4.2019 shall be as per the operational norms specified in these regulations."*

- 4.6 It is also submitted that the DVC's approach of considering the escalation rate of 3.91% derived as the average escalation rate in price of coal for the period April- 2016 to October-2020 as published by CERC (bi-annually) is violative of the CERC Regulations, 2019. There is no provision in the CERC Regulations, 2019 to suggest that the escalation rate in ECR is to be considered for previous five years. In fact, by the own submission of DVC at Page 3 of the Data Gap Response, it can be observed that there has been no Coal Price Hike in the last years. When there is no coal price hike by CIL, then where is the question of considering the escalation in coal price for computing ECR.
- 4.7 It is also submitted that the escalation based approach in case of Energy Charges is also to be disallowed as the DVC is entitled to claim Fuel Price and Power Purchase Adjustment (FPPPA) on a quarterly basis as per Clause 10.65 of the JSERC Distribution Tariff Regulations, 2020.
- 4.8 The Stakeholders suggested that the Hon'ble Commission may kindly direct the Petitioner to submit the actual ECR. rates for FY 2020-21 and FY 2021-22 as these are the latest years for which audited accounts are available.
- 4.9 The Objector for the purposes of this Objection Statement has considered the actual energy charge rates for FY 2019-20 for computing the allowable own generation cost of thermal generating stations for FY 2021-22 to FY 2025-26.
- 4.10 Thus, the approach of the Petitioner to consider an adhoc escalations of for computing the energy charges and fixed charges is arbitrary, violative of the CERC/JSERC Tariff



Regulations and ought to be rejected. The financial impact of the same is around Rs. 1,065.82 for FY 2021-22, Rs. 1,333.20 Crores for FY 2022-23, Rs. 1,639.16 Crores for FY 2023-24, Rs. 1,947.64 for FY 2024-25 and Rs. 2,288.58 Crores for FY 2025-26 respectively.

### ***Petitioner's Response***

- 4.11 The Petitioner responded that before this Hon'ble Commission, that DVC in its Multi Year Tariff (MYT) petition for determination of ARR for FY 2021-22 to 2025-26 in the state of Jharkhand, has claimed the Annual Fixed Cost of DVC's own Generating stations in line with the AFC claimed before Hon'ble CERC in the tariff petition for the control period FY 2019-20 to 2023-24 and trend analysis for FY 2024-25 & 2025-26. In the MYT determination stage, a trajectory of tariff is set by the Hon'ble Commission which is subject to True- Up later on. Therefore, DVC has considered the AFC of DVC own generating stations as submitted in the petition of 2019-24 period before CERC. Thereafter, for FY 2024-25 and 2025-26 DVC has considered the trend analysis as there is no data available for such period. Moreover, DVC submits petition for tariff determination for each year of the MYT period, wherein all latest Tariff Orders of CERC is considered.
- 4.12 Regarding the objection raised regarding the Energy Charge rate is misleading and one sided. If last five-year data of Notification of CERC regarding the coal price escalation rate is considered, there may no escalation in the coal price for some period, but at the same time UI is escalation to the tune of 21.66% for some other period. To ease out this wide fluctuation DVC has considered the average of the last five years data, when the projection was made for five long years. As per the contention of the objector, if last oneyear escalation rate was considered it would have given wrong result, as it is practically impossible to consider that there will be no increase in the coal price in the coming five years considering the prevailing market condition.
- 4.13 There has been considerable amount of increase in the energy charge rate over the years. Regarding the issue of FPPPA, Petitioner responded that DVC has already started to claim the FPPPA charges in terms of the relevant Tariff Regulations of this Hon'ble Commission and submitted the relevant data before the commission. However, DVC could not recover the actual cost of the fuel even after the application of FPPPA charges because of 10% capping in terms of Regulation 10.70 of JSERC (Terms & Conditions of Distribution Tariff Regulations, 2020 which states that: -



*“The FPPPA charge shall not exceed 10% of the variable component of tariff for the applicable consumer category, or such other ceiling as may be stipulated by the Commission from time to time.”*

- 4.14 Therefore, the Petitioner responded to increase the base energy charge rate. In light of the above, the calculation shown by the objector is devoid of any merit therefore does not call for any reply and is liable to be rejected.

### ***Views of the Commission***

- 4.15 The Commission has examined the submission made by the Stakeholder and Petitioner. The Commission is of the view that as Hon'ble CERC has determined the tariff for the period from FY 2019-20 to FY 2023-24 for T&D systems and MTPS U#4 and tariff for the Period from FY 2014-15 to FY 18-19 for the remaining stations. The Commission has accordingly considered the tariffs as approved by CERC.

### **Higher Allocation of T&D charges to Firm Consumers**

#### ***Public Comments/ Suggestions***

- 4.16 The Stakeholders submitted that the sale portfolio of DVC can be divided into the following categories:
- Sale to firm consumers in the States of Jharkhand and West Bengal
  - Export to PPA beneficiaries under schedule mode
  - Sale of power to JBVNL, SAIL-BSL, JUSCO, TATA Steel, Indian Railways etc. at some points in consumer mode through its own transmission and distribution (T&D) network.
- 4.17 The CERC has already approved the MYT Petition of DVC for T&D system for FY 2019-24 vide orders dated 10.06.2022 and 02.03.2022 in Petition No. 482/TT/2020 and Petition No. 713/TT/2020 respectively. It is our respectful submission that since Hon'ble CERC has already approved the AFC i.e. input cost up to FY 2023-24, hence the same ought to be considered by this Hon'ble Commission.
- 4.18 This AFCs has been allocated by DVC amongst the firm consumers of Jharkhand and West Bengal. It is respectfully submitted that the T&D network of DVC is being utilised for (i) export of power to PPA beneficiaries under schedule mode outside and (ii) sale to JBVNL, SAIL-BSL, JUSCO, TATA Steel, Indian Railways etc. in consumer mode and hence the T&D systems costs ought to be shared with such entities as well.



- 4.19 The break-up of the energy sales to firm consumers and outside command area consumers as per the data submitted in the Petition is tabulated below. Further, the proportionate share of AFC pertaining to T&D system for firm consumers (command area) is also computed.
- 4.20 This AFCs has been allocated by DVC amongst the firm consumers of Jharkhand and West Bengal. It is respectfully submitted that the T&D network of DVC is being utilised for
- (i) Export of power to PPA beneficiaries under schedule mode outside and
  - (ii) Sale to JBVNL, SAIL-BSL, JUSCO, TATA Steel, Indian Railways etc. in consumer mode and hence the T&D systems costs ought to be shared with such entities as well.
- 4.21 The break-up of the energy sales to firm consumers and outside command area consumers as per the data submitted in the Petition is tabulated below. Further, the proportionate share of AFC pertaining to T&D system for firm consumers (command area) is also computed.

***Petitioner's Response***

- 4.22 The Petitioner responded that the objection raised by the Consumer Association is misconstrued and liable to be rejected. The Objector has wrongly conceptualized regarding the power evacuation from Generating stations of DVC to different beneficiary of DVC.
- 4.23 It is hereby submitted that, the sale to licensees in scheduled mode 1s undertaken by DVC in its capacity as generator and is guided by CERC regulation. The scheduling to beneficiaries is done at the Ex-bus of the respective generating stations, thereafter the responsibility of evacuation of power through PGCIL network lies with the beneficiaries. The tariff of PGCIL network is being directly recovered from such licensees by PGCIL through POC mechanism. DVC's unified Transmission and Distribution network is not being utilized anyway in the said evacuation process. However, there are some transmission assets of DVC which are being used to carry interstate powers, Tariff of such transmission assets is being determined by CERC and the same is recovered from the entire pool of AFC of CTU lines and currently being serviced through POC mechanism. Therefore, DVC did not include AFC of such lines in the ARR of its Distribution Activity.
- 4.24 This same issue was earlier raised by the objector against which DVC has already provided its detail justification. This Hon'ble Commission has persistently over the years have allowed the entire AFC of the unified T&D network of DVC as determined by CERC to recover from the firm consumers after segregating the same between the two slates i.e. state of Jharkhand and state of West Bengal based on their respective sales ratio.



- 4.25 It is also pertinent to mention here that Hon'ble WBERC has also approved exactly the same methodology as adopted by this Hon'ble Commission in its various orders. Copy of the relevant portion of the latest tariff order issued by WBERC is attached as Annexure-2.
- 4.26 Therefore, Petitioner responded to continue with the settled methodology of the previous orders regarding the recovery of the AFC of unified T&D network of DVC utilized in the Distribution and Retail Sale activity. In light of the above, the objection raised by the objector is devoid of any merit and liable to be rejected.

#### ***Views of the Commission***

- 4.27 The Commission has examined the submissions of the Stakeholder and Petitioner. The Commission has approved T&D loss along with reasons in the subsequent sections of this Order.

#### **Recovery of Contribution to P&G Fund and Sinking Fund with applying Availability Factor**

##### ***Public Comments/ Suggestions***

- 4.28 The Stakeholders commented that to contests the approach of the DVC seeking recovery of contribution to P&G Fund and Sinking Fund without factoring the availability factors like that applicable for recovery of the AFC consisting of the elements defined in CERC Tariff Regulations.
- 4.29 Such an approach is contrary to the CERC Regulations as well as past Orders issued by Hon'ble APTEL and Hon'ble JSERC/ WBERC. The grounds for objections on this account are summarized below:

JSERC Order dated 04.09.2014 in the matter of "Multi Year Order for Determination of ARR from FY 2013-14 to FY 2015-16 and Retail Supply Tariff for DVC Command area of Jharkhand" with regard to Pension and Gratuity observed as follows:

***"Commission's Analysis 6.72 The Commission is of the view that the contribution to Pension and Gratuity and Sinking fund has already been considered by CERC in the Annual Fixed Charges of the DVC's generating stations and as per Section 21 of the CERC Regulations, the fixed costs of the generating stations shall be computed on annual basis based on actual plant availability factor as well as the normative plant availability factor. Hence, the claim of the Petitioner finds no merit and accordingly the Commission has disallowed the cost claimed by the Petitioner under this head."***



APTEL judgment dated 23.03.2016 in Appeal No. 255 of 2014 with regard to treatment of Pension and Gratuity costs. The relevant extract of the said judgment is reproduced below:

*"(K) As regards the another issue of pension & gratuity and sinking Fund contribution, the State Commission in its Impugned Order dated 04.09.2014 vide para 6.72 states as follows:*

*"6. 72 The Commission is of the view that the contribution to Pension and Gratuity and Sinking fund has already been considered by CERC in the Annual Fixed Charges of the DVC's generating stations and as per Section 21 of the CERC Regulations, the fixed costs of the generating stations shall be computed on annual basis based on actual plant availability factor as well as the normative plant availability factor. Hence, the claim of the Petitioner finds no merit and accordingly the Commission has disallowed the cost claimed by the Petitioner under this head*

*The State Commission has stated that the pension & gratuity and sinking fund has been appropriately considered by the Central Commission while determining tariff of generating stations of the Appellant and hence the State Commission has not undertaken any determination/re-determination on the same and this cost has in fact been allowed as input cost as part of the power procurement cost from the Appellant's generating stations and as such no part of it is required to be re-determined by the State Commission. We are in agreement with the State Commission's findings as above.*

- 4.30 As is evident from the above findings of Hon'ble APTEL, the issue of adjustment of contribution to P&G and sinking fund based on the actual availability has already been settled by Hon'ble APTEL as well as by both Hon'ble JSERC & WBERC in plethora of Orders. The Petitioner, despite being fully aware of this fact is trying to rake up-the same issue every time before this Hon'ble Commission. The Petitioner has continued to do the same in the current petition, intentionally mentioning selective portions of various orders out of context, so as to mislead the Hon'ble Commission. The Stakeholders submitted that to reprimand the Petitioner for such conduct and issue strict directions for not raising the same issue repeatedly before the Hon'ble Commission.

### ***Petitioner Response***

- 4.31 The Petitioner responded that it may please be noted that Hon'ble Supreme Court in the order dated 23.07.2018 in Civil Appeal Nos. 971-973 of 2008, 4289 of 2008 and 4504 - 4508 of 2008 has upheld the judgment dtd. 23.11.2007 passed by the Hon'ble APTEL. Accordingly, the portions of DVC Act 1948 so far as they are not inconsistent with the Electricity Act 2003 will continue to hold ground for determination of tariff (ref. fourth proviso of Section 14 of the Electricity Act 2003). While issuing the judgment dtd. 23.11.2007, the Hon'ble APTEL on the issue of Contribution to the Pension & Gratuity Fund (P&G fund) and Sinking Fund held as under:



"D.3 As a general rule, once the Commission, after prudence check, has agreed with the need for funding the Pension and Gratuity Contribution funds, DVC should have been allowed to recover entire amount from the consumers through the tariff Asking DVC to contribute out of its own resources would tantamount to denying it the return on equity as assured in terms of Tariff Regulations. However, if we look at it from the point of view of the consumers, the consumers, particularly the industrial and commercial ones, have now no option to adjust their sale price to take into consideration the need for meeting the accumulated liability.

4.32 Accordingly, DVC is entitled to recover through tariff the entire contribution to the Pension and Gratuity (P&G) Fund and Sinking Fund as approved by the Hon'ble CERC. As such it may therefore be concluded that recovery of expenditure towards contributions to the P&G fund and Sinking fund as already approved by the Hon'ble CERC may be recovered by DVC in full i.e. without further factoring in the Plant Availability Factor or Transmission Availability Factor as the case may be since it may increase or decrease the recovery as compared to that approved amount.

4.33 Further DVC would like to draw kind attention to Regulation 15 and 42 of CERC "Terms and Conditions of Tariff" Regulations 2019 which is reproduced below;

*"15.1 Capacity Charges: The Capacity charges shall be derived on the basis of annual fixed cost. The Annual Fixed Cost (AFC) of a generating station or a transmission system including communication system shall consist of the following components:*

- (a) Return on equity;
- (b) Interest on loan capital;
- (c) Depreciation;
- (d) Interest on working capital; and
- (e) Operation and maintenance expenses"

*"42. Computation and Payment of Capacity Charge for Thermal Generating Stations:*

*(2) The capacity charge payable to a thermal generating station for a calendar month shall be calculated in accordance with the following formulae:*

$$CC_{p1} = \{0.20 \times AFC\} \times (1/12) \times (PAFM_{p1} / NAPAFA) \text{ subject to ceiling of } (0.20 \times AFC) \times (1/12)$$
$$CC_{p2} = \{(0.20 \times AFC) \times (1/6) \times (PAFM_{p2} / NAPAFA)$$

$$CC_{o1} = (0.80 \times AFC) \times (1/12) \times (PAFM_{o1} / NAPAFA) \text{ subject to ceiling of } (0.80 \times AFC) \times (1/12)$$



$$CCop2 = \{(0.80 \times AFC) \times (1/6) \times (PAFMop2 / NAPAF) \text{ subject to ceiling of } (0.80 \times AFC) \times (1/6)\}$$

- 4.34 From the above it is clear that defined elements of AFC does not include contribution to P&G Fund and Sinking Fund for the obvious reason that these elements are considered for DVC as a special case. Plant availability factor is applicable on the elements of AFC as defined under Regulation 10.15 and not on the other elements considered as a special case for DVC. Moreover, these elements are not considered for computation of Working Capital and IWC. Hence, DVC has not factored in PAFY in respect of contribution to P&G Fund and Sinking Fund of CERC's approved tariff wherein such additional and special elements have been indicated separately.
- 4.35 Regarding the claim of the respondent that the issue has been settled by Hon'ble APTEL vide order dated 23.03.2016, it is submitted that, DVC has challenged the said orders before Hon'ble Supreme Court. Hon'ble Supreme Court vide order dated 02.01.2017 in civil appeal no 8317 of 2016.
- 4.36 "The consideration by the Commission would naturally be made without being influenced by the order passed by the Appellate Tribunal for Electricity.
- 4.37 Thereafter, this Hon'ble Commission in order dated 18.05.2018, 28.05.2019, 29.09.2020 and 30.09.2020 did not approve the claim of DVC regarding recovery of P&G and Sinking fund without linking with availability factor. DVC has filed appeals against the said orders of this Hon'ble Commission before Hon'ble Tribunal. Such appeals are presently pending before the Tribunal.
- 4.38 Therefor the claim of the objector that the issue is settled by the Hon'ble Tribunal is incorrect. Thus Petitioner responded that the issue raised by the objector is devoid of any merit and liable to be rejected.

***View of the commission***

- 4.39 The Commission has examined the submissions made by the Stakeholder and the Petitioner. The Commission is of the view that Pension & Gratuity Fund, like any other component of AFC should be recoverable based on actual availability. In addition, the methodology is sub-judice before the APTEL in Appeal Nos. 163 of 2017 and 281 of 2018.



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## **Interest on Temporary Financial Accommodation**

### ***Public Comments/ Suggestions***

- 4.40 The Stakeholders submitted that the claim towards Interest on temporary financial accommodation is violative of the JSERC Distribution Tariff Regulations 2020. It is well settled in law that the Appropriate Commission is bound to follow its own Regulations while framing Orders. There is no ARR item such as Interest on temporary financial accommodation in the JSERC Distribution Tariff Regulations 2020 and hence, such claim ought to be disallowed. Any reference to WBERC Regulations/ Order will not entitle DVC to claim such amount before Hon'ble JSERC. Even in the last JSERC Order dated 30.09.2020.
- 4.41 The Hon'ble Commission has not allowed any item such as interest on temporary Accommodation for FY 2020-21. The framework of the Tariff Regulations (Interest on Working Capital) along with Supply Code (Security Deposit) provide sufficient cushion and margin towards Working capital requirements.
- 4.42 The receivables position of DVC demonstrates that the Petitioner has allowed continuous power supply to JBVNL in spite of mounting receivable beyond the stipulated due dates of payment. This is contrasted with the fact that electricity supply of HT consumers is disconnected immediately upon payment default. The approach of claiming interest on temporary financial accommodation is penalizing the timely paying customers at the cost of defaulter JBVNL. Such an approach promotes inefficiency and is against the interest of justice.

### ***Petitioner's Response***

- 4.43 The Petitioner responded that the grounds that have been raised now by the objector were already raised by them in the earlier occasions. DVC has already submitted detailed justification for requirement of Interest on temporary financial accommodation to be passed through in tariff in its True-up petition for FY 2016-17 submitted vide letter dated. 10.10.2018. In the said petition, DVC mentioned various judgement of Hon'ble APTEL which validates that interest on temporary financial accommodation is to be passed through in Tariff.
- 4.44 Hon'ble Commission in its previous tariff order dated 28.05.2019, 29.09.2020 and 30.09.2020 has already allowed the Interest on Temporary Financial Accommodation



against the deduction of Delayed Payment Surcharge from the ARR. The relevant portion of the tariff order dated 29.09.2020 (True-up for FY 2017-18) is reproduce below:

*"5.45 The Commission is of the view that the Petitioner be allowed the Interest on Temporary Financial Accommodation on the principal amount of the Delayed Payment Surcharge. It is observed that the DPS amount is charged at 18% p.a. on the average Principal Payment Outstanding whereas the interest rates for accommodating such shortfall is 12.60%. However, as per the submissions made by Petitioner, it is observed that the amount claimed for Interest on Temporary Financial Accommodation is higher than the Delayed Payment Surcharge claimed. The Commission has approved the interest of 12.60% on the average principal amount outstanding on which DPS was charged for improving the liquidity of the Petitioner"*

- 4.45 Thus, it is clear from the above-mentioned portion of the tariff order that the matter related to Interest on Temporary Financial Accommodation is already settled by the Hon'ble Commission in its previous orders. Thus, Petition responded that the objection raised by the Consumers Association is liable to be rejected.

#### ***Views of the Commission***

- 4.46 The Commission has examined the submissions made by the Stakeholder and Petitioner. The Commission is of the view that the Petitioner to be allowed the Interest on Temporary Financial Accommodation on the principal amount of the Delayed Payment Surcharge. It is observed that the DPS amount is charged at 18% per annum whereas the interest rates for accommodating such shortfall is at the rate of Interest on Working Capital for that year. The Commission has approved Interest on Temporary Financial Accommodation in line section 10.75 of Tariff Regulation 2020 along with reasons in the subsequent sections of this Order.

#### **Rebate and Discount allowed to Consumers**

##### ***Public Comments/ Suggestions***

- 4.47 The Stakeholder submitted that Petitioner has projected the rebate and discount allowed to consumers of Jharkhand as Rs. 99.50 Crores for FY 2021-22, Rs. 102.88 Crores for FY 2022-23, Rs.109.56 Crores for FY 2023-24, Rs. 116.37 Crores for FY 2024-25 and Rs. 123.52 Crores for FY 2025-26 respectively.
- 4.48 The Hon'ble Commission in its previous Tariff Order dated 30.09.2020 stipulated the following: "Commission's Analysis



*“5.56. Hence, the Commission directs in future the Petitioner should allow and maintain record of various Rebate provided under separate head in its Audited Accounts as detailed in the Tariff Schedule in Section A 13 of this Order. Any rebate provided over and above the values specified in Section A 13 shall be attributable to the Petitioner and shall not be recovered in the ARR.”*

4.49 It is to be pointed out that even the amount claimed by the Petitioner towards rebate on sale of power for consumers of Jharkhand for FY 2019-20 and FY 2020-21 could- not be validated from the Audited Annual Accounts of DVC for respective years.

4.50 Further, it is respectfully submitted that each of the rebate prescribed in the terms and condition of supply is either provided to the consumer as such rebate facilitates optimisation of cost for DVC or is in the form of disincentive to DVC for inaction. The same is explained below:

Voltage Rebate - Such a rebate is to encourage consumers to move to higher voltage level as the losses on higher voltage is lower thereby leading to lower cost of service to DVC.

Load Factor Rebate - Load Factor Rebate incentivises energy consumption by customers and it leads to better capacity utilisation of infrastructure to DVC and reduced losses. High load factor of consumers reduces the transmission losses and consequently power purchase cost. Higher load factor also reduces the transformer losses.

Rebate for Online Payment and Due Date Payment - Timely and prompt payment reduces the working capital cost of DVC. Online payment optimises the O&M costs for DVC.

Rebate for Prepaid metering - Prepaid metering reduces the working capital cost of DVC and also optimises the O&M costs.

Rebate for Delayed Billing - This rebate is provided to consumers to promote prompt and timely billing by DVC. This is in the nature of a disincentive.

4.51 It can be seen that the rebates either optimise the cost of DVC or are in the nature of a disincentive. If the rebate is added in the ARR, then there is no meaning of providing the same. It is also stated that the JSERC Distribution Tariff Regulations 2020 do not provide that rebates are to be considered as part of the ARR.



4.52 The Stakeholders submitted that the rebates cannot be allowed to be added as an ARR item and hence the claimed amounts for ARR period FY 2021-22 to FY 2025-26 may be disallowed.

***Petitioner Response***

4.53 The Petitioner submitted that, DVC has already submitted before the Commission the detail break-up of Rebate on sale of power duly reconciled with the Annual accounts for FY 2019-20 and FY 2020-21 vide additional submission dated 12.02.2021.

4.54 Regarding the other contentions raised by objector, it is submitted that, unlike other businesses, the electricity business fall under the regulatory regime whose tariff is being determined on cost plus basis following stringent guideline and prudence check. Therefore, there is no scope for any distribution licensee to charge any arbitrary tariff and from there to offer any rebate/ incentive.

4.55 The different rebate scheme i.e. Voltage Rebate, Load Factor Rebate etc. is designed to encourage the consumers to maintain a good load profile, so that overall saving can be made on the cost of electricity. As the tariff of electricity is determined on cost plus basis, any savings on account of improvement of load profile of consumers is already passed through in the ARR. Therefore, it is wrong and denied that the rebate structure offered to consumers is in the form of disincentive to DVC. The Tariff and rebate structure ought to be designed in such a way that, DVC can recover the ARR (the cost of the licensee) after providing all rebate in accordance with the tariff order. This similar issue was raised by the objector in the earlier occasion as well against which DVC has already furnished its detail justification.

4.56 In this regard DVC also submits that this issue is already settled and allowed by this Hon'ble Commission in its previous order dated 28.05.2019, 29.09.2020 and 30.09.2020. Hon'ble WBERC has also adopted the same principle and allowed the Rebate on Sale of Power as a passed through element in Tariff. Thus, the contention of Objector is without any merit and ought to be rejected.

***Views of the Commission***

4.57 The Commission has examined the submissions made by the Stakeholder and Petitioner. The Commission directs the Petitioner to maintain record of various Rebate provided under separate head in its Audited Accounts as detailed in Tariff Schedule of the Tariff Order.



Any rebate provided over and above the values specified in Tariff Schedule shall be attributable to the Petitioner and shall not be recovered in the ARR.

## **Non-Tariff Income**

### **Public Comments/ Suggestions**

4.58 Non-Tariff Income has been defined under the JSERC Tariff Regulations, 2020 as under:

*"Non-Tariff Income*

*10.53 The amount of Non-Tariff Income relating to the Distribution Business as approved by the Commission shall be deducted from the ARR in determining the Retail Supply Tariff and Wheeling Charges of the Distribution Business:*

*Provided that the Distribution Licensee shall submit full details of its forecast of Non-Tariff Income to the Commission in such form as may be stipulated by the Commission.*

*10.54 The Non-Tariff Income shall include:*

- a. Income from rent of land or buildings;*
- b. Income from sale of scrap;*
- c. Income from investments;*
- d. Interest accrued on advances to suppliers/contractors;*
- e. Interest income on loans/advances to employees;*
- f. Income from rental of staff quarters;*
- g. Income by rental from Contractors;*
- h. Income by hire charges from contactors and others;*
- i. Income from delayed payment surcharge, supervision charges, etc.;*
- j. Supervision charges for capital works;*
- k. Income from recovery against theft and/or pilferage of electricity;*
- l. Income from advertisements;*
- m. Income from sale of tender documents;*
- n. Profit from sale of Assets (i.e. difference of Sale value and Book value of Asset);*
- o. Any other Non-Tariff Income*

*Provided that the interest earned from investments made out of Return on Equity corresponding to the regulated Business of the Distribution Licensee shall not be included in Non-Tariff Income.*

*Provided that the onus to substantiate, to the satisfaction of the Commission, that such investments have been out of Return on Equity shall be on the Licensee."*



- 4.59 The above definition of Non-Tariff Income provides for items to be included and excluded from Non-Tariff Income. Any other income earned by the Petitioner has to be treated as Non-Tariff Income in terms of the aforesaid Regulations and applied as a reduction from the ARR. The DVC has not submitted anything on record through which it could substantiate that the NTI has been earned out of investments made out of Return on Equity.
- 4.60 It can be seen that the NTI as per audited accounts is Rs. 504.29 Crores in FY 2019-20 whereas only Rs. 21.74 Crores was claimed by DVC in its True-up Petition purportedly being DPS billed to Firm Consumers. For APR of FY 2020-21, the DVC had considered NTI of Rs. 25.00 Crores on estimated basis. The JCADVC has filed detailed objections on this account in the relevant Petition. The table depicting the difference along with reason for the difference in NTI as per audited accounts and that reduced from True-up/APR.
- 4.61 It is also our objection that the DVC has not provided any break-up of the NTI based on business segments in which it operates namely Generation, Transmission and Distribution/Retail supply.
- 4.62 It was in view of the above that stakeholders submitted that for considering NTI to the tune of Rs. 321.38 Crores (Rs. 21.74 Crores plus Rs. 299.64 Crores) in the True-up for FY 2019-20. The Stakeholders Submitted that the NTI for FY 2021-22 to FY 2025-26 may be pegged at the same level since the audited accounts for the relevant years are not available. Any difference based on actuals can be passed on at the true-up stage.

### ***Petitioner's Response***

- 4.63 The Petitioner responded that the objector is raising all repetitive issues. This same issue has already been raised earlier on several occasions by the objector. DVC has also from time to time submitted its reply against such objection. In its reply vide letter no. Coml./Tariff/JSERC/Additional Info-19-20/1377 dated 23.05.2019 has provided justification that why such other income should not qualify as NTI against each element of other income booked in the Annual Accounts.
- 4.64 The Commission time and again has cleared its stand that Delayed Payment Surcharge (DPS) on account of firm consumers is the only income that to be qualified as Non-Tariff Income (NTI).
- 4.65 Hon'ble WBERC in its various orders has approved the DPS on account of Firm Consumers as the only item to be qualified as NTL. No new ground has been raised by the objector in the instant objection. Regarding the objection raised on the issue of break-up of Delayed



Payment Surcharge, it is respectfully submitted that detail break-up of Delayed Payment Surcharge for FY 2019-20 duly reconciled with the audited annual accounts was submitted vide additional submission dated 12.02.2021.

4.66 The objector has consistently misconstrued other income of DVC as per the audited books of Accounts as non-tariff income. Actually the part of other income which falls under the definition of non-tariff income should only qualify for this purpose. Entire fixed assets base of DVC lies with the Generation and Transmission network which falls under the jurisdiction of CERC. This Hon'ble Commission do not approve tariff for any fixed assets of this corporation, accordingly, do not allow any profit margin for the distribution business. Therefore, all the other income sub-heads except delayed payment surcharge are related to either generation or transmission business of DVC and need to be taken care of by the CERC. Only the income in respect of Delay Payment Surcharge billed by DVC as a part of its distribution activity qualifies as non-tariff income. Objections made herein are not only misleading but also against the applicable Regulations of the State Commission as well as the Central Commission.

4.67 It may be pertinent here to mention the decision of the Hon'ble CERC on the issue of non-tariff income while framing the "Terms and Conditions of Tariff" Regulations 2019. Relevant portion of the said Regulation 62 and Statement of Reason in this regard are reproduced below for reference.

*“The non-tariff net income in case of generating station and transmission system from rent of land or buildings, sale of scrap and advertisements shall be shared between the beneficiaries or the long term customers and the generating company or the transmission licensee, as the case may be, in the ratio 50:50.” 16.3.1 The draft 2019 Tariff Regulations provides for sharing of non-tariff income from generating station and transmission system to be shared between generating company or transmission licensee and beneficiaries or long-term customers, as the case may be in the ratio 50:50”.*

4.68 Many stakeholders suggested to clarify that only non-tariff income net of expenses shall be shared. Further, many stakeholders' suggested difficulty in segregation of non-tariff income components to be shared like statutory investments, bank balances, etc. and also stated benefit of many such type of income, especially rental and interest from contractors is already shared fully, as the impact is reflected in the reduced rates charged by such contractors. After carefully considering the submissions, it has been decided to revise the Regulation by restricting the non-tariff income only from rent of land or buildings, sale of scrap and advertisements.



- 4.69 It is clear from the above references that the Hon'ble CERC has not included the income from Delay Payment Surcharge from Generation or Transmission business under the head "Non-Tariff Income." It is therefore a matter of simple conclusion that the income from Delay Payment Surcharge related to generation and transmission activity of DVC is required to be excluded from the scope of Non-Tariff Income.
- 4.70 It is also submitted that, any other income which will qualify as NTI in terms of the above mentioned CERC regulation will be considered by CERC at the time of determination of Tariff of the Generating Stations and unified T&D network of DVC for the 2019-24 period and it will be automatically passed through in the ARR of distribution activity.
- 4.71 In view of the above, Petitioner responded to consider Delayed Payment Surcharge on account of firm consumers as the only Non-Tariff Income and reject the objector's contentions as well as the disallowances proposed by the objector.

#### ***Views of the Commission***

- 4.72 The Commission has examined the submission made by the Stakeholder and Petitioner. The Commission has adopted same approach/ methodology approved by the Commission in its earlier Orders.

#### **Interest on Working Capital**

##### ***Public Comments/ Suggestions***

- 4.73 The Stakeholders submitted that as per Clause no. 10.30 & 10.31 of the JSERC Distribution Tariff Regulations 2020. Interest on Working capital shall comprise of:

"Interest on Working Capital

#### **10.30 Working capital for the Wheeling Business for the Control Period shall comprise:**

- a) Maintenance spares at 1% of Opening GFA of Wheeling Business; plus
- b) Two months equivalent of the expected revenue from wheeling charges at the prevailing tariffs; minus
- c) Amount, if any, held as security deposits.

#### **10.31 Working capital for the Retail Supply of Electricity for the Control Period shall comprise:**

- a) Maintenance spares at 1% of Opening GFA for Retail Supply Business; plus
- b) Two months equivalent of the expected revenue from sale of electricity at the prevailing tariffs; minus



- c) Amount held as security deposits under Clause (a) and Clause (b) of subsection (1) of Section 47 of the Act from consumers and Distribution System Users net of any security held for Wheeling Business; minus
- d) One-month equivalent of cost of power purchased including the Inter-State and Intra-State Transmission Charges and Load Despatch Charges, based on the annual power procurement plan.

4.74 The Rate of interest on working capital shall be equal to the Bank Rate as on September 30 of the financial year in which the MYT Petition is filed plus 350 basis points. At the time of true up, the interest rate shall be adjusted as per the actual rate prevailing on April 01 of the financial year for which truing up exercise has been undertaken.”

4.75 The Hon'ble State Commission in the Tariff Order for FY 2012-13 dated 22.11.2012 has made the following observations with respect to the GFA and O&M cost of the Petitioner as below:

*"7.40- However, the Commission noticed that the GFA and O&M cost of the Petitioner cannot be segregated into that of pertaining to generation and transmission business and that for distribution and retail business at present. Hence, applying the aforementioned methodology for computation of IWC is not possible. Therefore, the Commission decided to continue with the methodology as applied by the Commission for truing up the ARR for FY 2006-07 to FY 2011-12 in this Order."*

Further, the interest on working capital has been worked out by Hon'ble Commission in the past orders dated 18.05.2018, 28.05.2019 & 30.09.2020 also consistent with its approach in the Order dated 19.04.2017, wherein its observations are as below:

*"6.55 However, since the O&M cost and other expenses of the Petitioner are included in the cost of generation of power from its own stations, applying the aforementioned methodology as per the 'Distribution Tariff Regulations, 2010' is not possible.*

*6.56 Hence, the Commission has adopted the same methodology as described in the Tariff Order for FY 2012-13 dated 22nd November, 2012."*

4.76 The Commission has considered the working capital entitlement of DVC as 1% of the revenue sales. The Stakeholder requested to disallow the Petitioner's claim of Interest on Working Capital and approve the same in line with the Commission's observations and consistent methodology for computing Interest on Working Capital.



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***Petitioner Response***

4.77 The Petitioner submitted that tariff in respect of the entire assets related to generation and T&D network is determined by Hon'ble CERC. In terms of para 111 of the Judgment dated 23.11.2007 by the Hon'ble APTEL, the T&D System of DVC has been considered as unified deemed inter-state transmission system for the purpose of tariff determination. As such T&D network of DVC is not segregated into assets specifically assigned to its distribution activity and transmission activity within the two contiguous states namely Jharkhand and West Bengal. Hence jurisdiction of determination of tariff lies with the Central Commission.

4.78 It is also a fact that while determining the tariff in respect of generating stations and T&D network of DVC, the Hon'ble CERC allows Interest on Working Capital based on the norms specified in the applicable Tariff Regulations for relevant periods under consideration. The Hon'ble CERC allows the tariff based on the assets but not based on its activities. In other words, it may be concluded that a pure transmission licensee (say Licensee AJ having the assets similar to DVC would get a similar transmission tariff like DVC though the Licensee-A is not having any distribution activity. Therefore, going by the fact that since CERC allows IWC on account of Generation and Transmission activity, it will not be justified to say that DVC is not entitled to the IWC for distribution activity as per the applicable SERC Regulations.

DVC in its reply to the Commission's Order dated 14.02.2020 pointed out that in order to manage its distribution activity, DVC is required to maintain the following:

- a) Separate manpower consisting of executives, supervisors and other working personnel at different category to deal various technical and Non-Technical issues, security requirement, safety requirement etc. related to consumer power supply;
  - b) Arrangement to carryout repair & maintenance work related to consumer power supply;
  - c) Arrangement for Data communication, meter reading, billing & collection related to consumer power supply including necessary infrastructure;
  - d) Information Technology (IT) based monitoring system and data acquisition arrangements etc. and the above list is not exhaustive but only an indicative one.
- 4.79 For providing quality Service to the consumers, additional rolling fund is required for the aforesaid activities which are not serviced either through normative O&M or through normative Working Capital and Interest on Working Capital as approved in the generation and transmission tariff by the Hon'ble CERC. It is once again reiterated that such additional



fund requirement which is directly related to DVC's distribution activity remains unserved in the IWC allowed by the Hon'ble CERC. The Hon'ble CERC while fixing the norms in the Tariff Regulations for determination of Transmission Tariff envisages the activity of Transmission business only and not any distribution activity. As such the claim of DVC in respect of IWC in terms of applicable Regulations of the two State Commissions in its different petitions related to determination of distribution tariff are a pressing requirement of DVC and disallowing the same as proposed by the objector's Association on the ground of any computational difficulty is misleading and devoid of any merit.

4.80 This Hon'ble Commission while passing the provisional Tariff Order of DVC dated 22.11.2012 held as under (at para 7.40 at page no. 69) on the issue of DVC's claim towards IWC;

*“7.40 However, the Commission noticed that the GFA and O&M cost of the Petitioner cannot be segregated into that of pertaining to generation and transmission business and that for distribution and retail business at present. Hence, applying the aforementioned methodology for computation of IWC is not possible. Therefore, the Commission decided to continue with the methodology as applied by the Commission for trueing up the ARR for FY 2006-07 to FY 2011-12 in this Order”.*

4.81 In order to avoid such difficulty DVC claims the IWC without giving effect to the first two elements of IWC i.e. 6.30(a) and 6.30(b) in terms of the tariff Regulations 2015 notified by this Hon'ble Commission. DVC in this regard also humbly submits before the Commission that disallowing the legitimate claim of DVC towards IWC only because of any computational difficulty is an injustice to DVC.

4.82 As explained above, the claim of Petitioner in respect of IWC in the present petition is only a bare necessity for quality and reliable power supply to the consumers and licensees and overall development of the Valley Area. This Hon'ble Commission is therefore requested to discard the contention and proposal of the objector as the same are devoid of any merit.

#### ***Views of the Commission***

4.83 The Commission has examined the submission made by the Stakeholder and Petitioner. The Commission while approving the Interest on Working Capital (IoWC) has adopted the same methodology as approved in its earlier Orders.



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## **Disproportionate Tariff Hike Proposed**

### ***Public Comments/ Suggestions***

- 4.84 It is respectfully submitted that against the ARR/ACOS claimed by the DVC, the allowable ARR/ACoS as per Objector's assessment is significantly low. It can be seen that there is a reducing trend in the ACOS over the control period owing to several factors such as surrender of costly power from MPL, etc. The input costs are yet to be determined by CERC and there is nothing on record to demonstrate that DVC has made any effort with CERC for early release of tariff orders. Additionally, there is a good expectation that items which reduce the ARR such as NTI can be higher than the claimed amounts.
- 4.85 In view of the above, it is only fair that the rate schedule should not be modified till the time the input cost is finalised by CERC. The FPPPA mechanism is anyways available with DVC under the framework of the Tariff Regulations which would ensure fair recovery of energy charges to the DVC.
- 4.86 It is also pointed out that the DVC has proposed difference Energy Charges for HT consumers and Licensees even at the same voltage level. The Objector strongly opposes this approach of DVC. When the average cost of service is same for supplying power to consumers and licensees, then how can the tariff rates be different. It is in violation of the Electricity Act, 2003 and hence merits rejection at the outset by the Hon'ble Commission.

### ***Petitioner Response***

- 4.87 DVC sources power for a major part of its retail sale to consumers from its own generation and supplies upto the consumer premises through its own T&D network. Rest of the energy (around 10%) is purchased from CSGS, MPL, PTC etc. In case of contingency, power is purchased from energy exchanges. Tariff in respect of own generating stations and T&D system is determined by the Hon'ble CERC. Fixed cost in the retail tariff is claimed in respect of T&D system and generating stations to the extent of power being sourced for distribution purpose. Accordingly, DVC is required to utilize capacity from its running generators on day-to-day basis. Load factor of all the consumers are also not same. As a result, maximum demand varies widely rendering proper appreciation of Fixed Cost is jeopardized if a part of it, is merged with energy charge rate. Therefore, entire fixed cost of its generating stations (proportionate to utilization) and T&D system has been proposed to be recovered through demand charge without merging any part of it in the energy charge rate. As a result, though the proposed rate of demand charge appears to be high, the energy charge rate has been proposed at a proportionately low rate.



- 4.88 The Commission may be pleased to notice that if Demand Charge is set at a lower level it acts as a deterrent to improvement in load factor thereby causing reduced recovery. Incorrect load assessment and improper load management by the consumers results into unnecessary blocking of the capacity of the licensee at different sub-stations by means of hike in Contract Demand. This is evident from low load factor. In such a case, only a part of the Fixed Cost gets recovered and recovery of energy charge is low. This results inefficient use of electrical energy and causes wastage. Such practice also restricts the Licensee from extending electricity supply to other deserving new consumers and efficient utilization of installed capacity.
- 4.89 Demand charge as proposed by DVC will restrict the consumers from contracting demand in excess of their actual requirement. It will also help to improve the overall load factor of DVC in Jharkhand and result into overall reduction in average cost of supply, efficient use of electricity and development by way of supply to more industries.
- 4.90 DVC submits that while estimating the proposed Energy Charges and Demand Charges for DVC's HT consumers in Jharkhand for FY 2021-22, DVC attempted to keep the Energy Charges and Demand Charges for individual consumer categories within (+) or (-) 20% of the average Energy Charges or Demand Charges in line with the National Tariff Policy guidelines. The proposed tariff differs among the different consumer categories primarily because of the different rebate structure and the different supply voltage levels across the different consumer categories. Thus, the contention of the objector that DVC has proposed high demand charge for recovery of its revenue gap is totally unfounded and baseless.

***Views of the Commission***

- 4.91 The Commission has examined the submission made by the Stakeholder and Petitioner. The Commission has considered the above submission and the same shall be discussed in the subsequent paragraph while approving the consumer tariff.



## A 5 DETERMINATION OF TARIFF FOR THE MYT CONTROL PERIOD FROM FY 2021-22 TO FY 2025-26

- 5.1 The Petitioner is required to file the Business Plan for approval before the Commission as per Clause 6.9, Clause 6.10 and Clause 6.11 of Jharkhand State Electricity Regulatory Commission (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020. The relevant Clauses are reproduced below:

### ***“Business Plan***

*6.9 Each Licensee shall file for the Commission’s approval a Business Plan approved by an authorized signatory, as per the timelines specified in Section A 24 of these Regulations.*

*6.10 The Business Plan shall be filed separately for the Retail Supply and Wheeling Business. As specified in Clause 6.7 of these Regulations, in the absence of segregated accounts for the two Businesses, the Licensee shall prepare an allocation statement and submit the same with the Business Plan.*

*6.11 The Business Plan shall be for the entire Control Period and shall inter-alia contain:*

*a) **Capital Investment Plan** for the entire Control Period commensurate with load growth, distribution loss reduction trajectory and quality improvement measures proposed in the Business Plan. The Capital Investment Plan should also include corresponding capitalisation schedule and financing plan;*

*The Distribution Licensee shall also submit scheme-wise capital structure and cost of financing (interest on debt) and return on equity, Grant, Deposit Works along with terms of the existing loan agreements, etc., as a part of Capital Investment Plan;*

*b) **Sales/Demand Forecast** for each consumer category and sub-categories for each year of the Control Period;*

*c) **Power Procurement Plan** based on the sales forecast and distribution loss trajectory for each year of the Control Period. The Power Procurement Plan shall also include energy efficiency, RPO fulfilment, and demand side management measures;*

*d) A set of targets proposed for other controllable items such as **distribution losses, collection efficiency, working capital requirement, quality of supply targets (viz., SAIFI, SAIDI and MAIFI as per the JSERC (Distribution Licensees’ Standards of***



*Performance) Regulations, 2015, and subsequent amendments), etc. The targets shall be consistent with the capital investment plan proposed by the Licensee;*

*e) **Human Resource Plan** with manpower planning including details of the estimated year wise manpower addition and retirements for the Control Period to meet the growth in demand/consumers;*

*f) Proposals for Non-Tariff Income with item-wise description and details;*

*g) Proposals in respect of income from Other Business; and*

*h) Business Plan shall also contain the requisite information for the preceding Control Period:*

*Provided that requisite information for the preceding Control Period shall include year-wise audited data on Scheme-wise capital investment, distribution loss trajectory, quality improvement measures undertaken, category-wise number of consumers, connected load and sales, source-wise power procurement quantum and cost, Employee, R&M and A&G Expenses along with detailed break up and any other information used for preparing projections of various performance parameters and other components during the Control Period. In case of a new Licensee, such information is required to be submitted for the period of operations up to the start of the Control Period.”*

5.2 DVC is a public sector undertaking involved in inter-state sale of power and transmission. Accordingly, CERC approves the capital cost, ARR and tariff for its generating stations as well as composite business of transmission and distribution (wires). This is considered as the input cost of DVC for determination of retail tariff by the State Commission in whose jurisdiction the licensed area of supply falls.

5.3 In view of above, the DVC has not submitted separate Business Plan petition as the capital expenditure plan is approved by CERC as part of its generation and composite inter-state transmission tariff. However, the projections for the other components forming the Business Plan i.e. sales, power purchase, distribution losses, etc. have been submitted by DVC for the entire Control period in its MYT Petition and same has been considered by the Commission.

5.4 In accordance with the above said Regulations, the Petitioner has filed the MYT for the Control Period from FY 2021-22 to FY 2025-26 for approval before the Commission on January 06, 2021.



5.5 This section contains a summary of the projections for various cost components of ARR for the MYT Control period from FY 2021-22 to FY 2025-26 as submitted by the Petitioner and as approved by the Commission.

### Sales and Demand Forecast

#### *Petitioner's Submission*

5.6 The Petitioner has submitted that it is supplying pooled power to its consumers and licensees (receive power in radial/consumer mode) located within its operational area in both Jharkhand and West Bengal mostly from its own generating units. Accordingly, the Petitioner submitted that it undertakes sale and supply of electricity to the consumers and licensees located within its operational area and the same is covered under Section 62 (1) of the Electricity Act 2003. The Petitioner supplies power to licensee viz. JBVNL, JUSCO, Tata Steel, Indian Railways etc. at some distinct points in consumer mode through its own T&D network. JBVNL has also entered into an agreement with the Petitioner for generator specific power supply.

5.7 The Petitioner submitted that the projected sale of DVC for the entire command area has been apportioned to Jharkhand and West Bengal part of the DVC based on the past trend and expected load growth in future. The consumption pattern (in MU) under different category and sub-category have been projected based on the actual load pattern for FY 2019-20.

5.8 The below mentioned table summarizes the projections made by the Petitioner for the area falling under the State of Jharkhand for Control period from FY 2021-22 to FY 2025-26.

**Table 7: Number of Consumer/Connection Point projected by Petitioner for MYT Period (Nos.)**

<b>Consumer Category</b>	<b>FY 2021-22</b>	<b>FY 2022-23</b>	<b>FY 2023-24</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>
LT	5	5	5	5	5
11 kV	1	1	1	1	1
<b>Industry</b>					
33 kV	118	120	124	126	130
132 kV	6	7	8	9	10
220 kV	2	2	3	3	3
<b>Railway Traction</b>					
132 kV	4	5	5	5	5
<b>Licensees</b>					
33 kV	9	9	9	9	9
132 kV	2	2	2	2	2
<b>TOTAL</b>	<b>147</b>	<b>151</b>	<b>157</b>	<b>160</b>	<b>165</b>

**Table 8: Contract Demand projected by Petitioner for MYT Period (kW/MVA)**

Consumer Category	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
LT (kW)	9118.43	9626.03	10133.64	10641.24	11148.84
<b>Connected Load (MVA)</b>					
11kV	0.56	0.59	0.62	0.65	0.68
33 kV (Industry)	836.03	911.27	993.29	1082.69	1180.13
132 kV (Industry)	141.13	149.07	157.01	164.95	172.90
132 kV (Traction)	75.49	78.36	81.23	84.10	86.97
220 kV	284.42	267.89	243.54	210.66	168.50
33 kV (Licensees)	106.82	116.44	126.92	138.34	150.79
132 kV (Licensees)	180.82	191.00	201.18	211.35	221.53

**Table 9: Sales projected by Petitioner for MYT Period (MUs)**

Consumer Category	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
LT	47.93	50.59	53.26	55.93	58.60
11kV	0.05	0.06	0.06	0.06	0.07
33 kV (Industry)	4568.76	4979.95	5428.14	5916.68	6449.18
132 kV (Industry)	538.81	569.13	599.46	629.78	660.11
132 kV (Traction)	263.17	273.17	283.17	293.17	303.17
220 kV	1475.46	1389.68	1263.35	1092.81	874.10
33 kV (Licensees)	437.98	477.39	520.36	567.19	618.24
132 kV (Licensees)	553.85	585.02	616.19	647.36	678.53
<b>TOTAL</b>	<b>7885.99</b>	<b>8324.99</b>	<b>8763.99</b>	<b>9202.99</b>	<b>9641.98</b>

**Table 10: Energy Sales Projection in DVC area for MYT Period (MUs)**

Particular	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Energy sales within the state of Jharkhand	7885.99	8324.99	8763.99	9202.99	9641.98
Energy sales within the state of West Bengal	9290.57	9615.48	9940.40	10265.31	10590.22
<b>Total energy sales in DVC Area</b>	<b>17176.56</b>	<b>17940.47</b>	<b>18704.38</b>	<b>19468.29</b>	<b>20232.20</b>

### *Commission's Analysis*

5.9 The Commission has examined the submission made by the Petitioner and observed that JBVNL has entered into an agreement with DVC for generator specific power supply instead of consumer mode since January 2019. However, at some points JBVNL is still receiving power supply from DVC in the existing consumer mode. Accordingly, to project the future power sales in the Jharkhand area, the Commission has directed the Petitioner to share the detail of JBVNL sales for the period from FY 2015-16 to FY 2018-19 in Consumer mode. Since JBVNL is purchasing from FY 2019-20 in generation mode hence, for the purpose of consumer sales projection in Jharkhand area the Commission has not considered JBVNL sales (bilateral mode) for FY 2016-17 to FY 2018-19 in the total sales.



5.10 The Commission has scrutinized the submission made by the Petitioner and after prudence check has adopted the following methodologies and assumptions while approving the Number of Consumers, Contract Demand and Energy Sales for the MYT Control period from FY 2021-22 to FY 2025-26 accordingly: -

- a. The Commission has taken into account actual Energy Sales, Contract Demand and Number of Consumers till FY 2020-21.
- b. The Commission observed that JBVNL was buying power in consumer mode in FY 2019-20 and FY 2020-21 at four (4) supply points with Contract Demand of 60 MVA. Further, in its reply, the Petitioner has submitted that JBVNL is still buying power at 2 supply points and Contract Demand of 35 MVA for FY 2021-22. For the purpose of projection, the Commission has kept the Connection point and Contract Demand same as FY 2021-22 for remaining MYT Control period from FY 2022-23 to FY 2025-26.
- c. The share of HV and EHV sales to total sales is more than 99% during the FY 2016-17 to FY 2020-21, which will not be going to drastically change in near future. Hence, the Commission has kept the share of category wise Number of Consumers/Connection Points, Contract Demand & Energy Sales equivalent to FY 2020-21 for the whole Control Period of FY 2021-22 to FY 2025-26.
- d. The Commission has considered the actual total Sales for FY 2020-21 as there has been increase in sales in FY 2020-21 suggesting minimal impact on account of COVID-19, and escalated with CAGR of 5.73% for the Period from FY 2016-17 to FY 2020-21.
- e. The Commission has considered the actual Contract Demand for FY 2020-21 and escalated with CAGR of 2.03% for the Period from FY 2016-17 to FY 2020-21.
- f. The Commission has considered the actual number of Consumer/Connection Points for FY 2020-21 and escalated with CAGR of 3.32% for the Period from FY 2016-17 to FY 2020-21.
- g. For sales within the State of West Bengal, the Commission has provisionally projected the increase in sales with escalation factor of 1.39% i.e. based on CAGR for the Period from FY 2016-17 to FY 2020-21, subject to truing up based on actual and approved by WBERC.



5.11 Accordingly, the Commission has approved the Number of Consumer/Connection Points, Contract Demand and Energy Sales as tabulated below, subject to truing up based on audited accounts.

**Table 11: Number of Consumer/Connection Point approved by the Commission for MYT Period (Nos.)**

Consumer Category	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
LT	5	5	6	6	6
11 kV	1	1	1	1	1
33 kV (Industry)	130	135	139	144	148
132 kV (Industry)	9	10	10	10	11
132 kV (Traction)	3	3	3	3	4
220 kV (Industry)	2	2	2	2	2
<b>Sub Total</b>	<b>151</b>	<b>156</b>	<b>161</b>	<b>166</b>	<b>172</b>
33 kV (JBVNL)	2	2	2	2	2
<b>Total</b>	<b>153</b>	<b>158</b>	<b>163</b>	<b>168</b>	<b>174</b>

**Table 12: Contract Demand approved by the Commission for MYT Period (MVA)**

Consumer Category	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
LT (MW)	7.57	7.72	7.88	8.04	8.20
<b>(Contract Demand in MVA)</b>					
11 kV	0.51	0.52	0.53	0.54	0.55
33 kV (Industry)	840.09	857.10	874.46	892.17	910.23
132 kV (Industry)	294.85	300.82	306.92	313.13	319.47
132 kV (Traction)	74.10	75.60	77.13	78.69	80.29
220 kV (Industry)	285.67	291.46	297.36	303.38	309.52
33 kV (JBVNL)	35.00	35.00	35.00	35.00	35.00

*Note: Power Factor for LT Consumer Category is considered as 0.85 for conversion purpose.*

**Table 13: Energy Sales approved by the Commission for MYT Period (MUs)**

Consumer Category	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
LT	40.72	42.07	43.46	44.91	46.40
11 kV	0.20	0.21	0.21	0.22	0.23
33 kV (Industry)	4741.75	4899.20	5061.87	5229.95	5403.60
132 kV (Industry)	1047.03	1081.79	1117.71	1154.83	1193.17
132 kV (Traction)	221.31	228.65	236.25	244.09	252.20
220 kV (Industry)	1613.85	1667.43	1722.80	1780.00	1839.11
<b>Total</b>	<b>7664.85</b>	<b>7919.35</b>	<b>8182.31</b>	<b>8454.00</b>	<b>8734.71</b>

**Table 14: Share of firm Energy Sales in DVC Command Area (MUs)**

Particular	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Energy Sales within the State of Jharkhand	7664.85	7919.35	8182.31	8454.00	8734.71
Energy Sales within the State of West Bengal	8431.68	8549.00	8667.96	8788.57	8910.87
<b>Total Energy Sales in DVC Area</b>	<b>16096.52</b>	<b>16468.36</b>	<b>16850.27</b>	<b>17242.57</b>	<b>17645.58</b>

### Transmission and Distribution Loss

#### *Petitioner's Submission*

5.12 The Petitioner submitted that T&D loss proposed is to be adjusted in the DVC command area forming part of State of Jharkhand and West Bengal by the Commission. The Petitioner submitted that the projected loss has increased compared to the estimated for FY 2020-21 and there is an increasing trend in T&D loss from FY 2021-22 to FY 2025-26. Such increase is attributable to a projected increase in the share of lower voltage sales (LT, 11kV and 33kV) during the Control period compared to sale at 132kV and 220kV.

5.13 Further, in addition to the energy sold in the Jharkhand area, the Petitioner also submitted the projected sales in the West Bengal area and the energy wheeled from its inter-state transmission system for the purposes of computation of the energy requirement for the entire Damodar Valley area.

5.14 Based on the total energy sales in the Damodar Valley area, the T&D losses and the energy wheeled from the system, the Petitioner submitted the actual energy requirement for the period from FY 2021-22 to FY 2025-26 as summarized and tabulated below.

**Table 15: Energy Requirement for MYT Control Period as submitted by the Petitioner (MUs)**

Particular	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Energy Sales within the state of Jharkhand	7885.99	8324.99	8763.99	9202.99	9641.98
Energy Sales within the state of West Bengal	9290.57	9615.48	9940.40	10265.31	10590.22
<b>Total Energy Sales in DVC Area</b>	<b>17176.56</b>	<b>17940.47</b>	<b>18704.38</b>	<b>19468.29</b>	<b>20232.20</b>
Energy Wheeled	901.41	920.04	938.65	957.12	975.57
Overall Utilization	18077.97	18860.52	19643.03	20425.42	21207.77
T&D loss (MU)	655.68	698.25	742.02	789.18	837.73
T&D loss (%)	3.50%	3.57%	3.64%	3.72%	3.80%
<b>Total Energy Requirement for DVC</b>	<b>18733.65</b>	<b>19558.76</b>	<b>20385.05</b>	<b>21214.60</b>	<b>22045.50</b>

#### *Commission's Analysis*

5.15 The Commission has scrutinized the actual loss and approved value of losses for the past years. The Commission provisionally approves the Transmission & Distribution (T&D)



loss target of 3.00% on overall sales for each year of the Control Period considering the past trend in previous period from FY 2016-17 to FY 2020-21. Further, the Petitioner shall be allowed to operate within the distribution loss of 3.80% on overall sales for the Control Period without any incentive/penalty.

- 5.16 Based on the approved energy sales and approved T&D losses, the energy requirement for the MYT period from FY 2021-22 to FY 2025-26 has been summarized below.

**Table 16: Energy Requirement approved by the Commission for MYT Period (MUs)**

Particulars	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Energy Sales within the State of Jharkhand	7664.85	7919.35	8182.31	8454.00	8734.71
Energy Sales within the State of West Bengal	8431.68	8549.00	8667.96	8788.57	8910.87
Total energy sales in DVC Area	16096.52	16468.36	16850.27	17242.57	17645.58
Energy wheeled	901.41	920.04	938.65	957.12	975.57
Overall Utilization	16997.93	17388.40	17788.92	18199.70	18621.14
T&D loss (MU)	525.709	537.785	550.173	562.877	575.912
T&D Loss (%)	3.00%	3.00%	3.00%	3.00%	3.00%
<b>Total Energy Requirement for DVC</b>	<b>17523.64</b>	<b>17926.18</b>	<b>18339.09</b>	<b>18762.57</b>	<b>19197.06</b>

## Power Generation from Own Sources

### *Petitioner Submission's*

- 5.17 The Petitioner generates power from its own stations to meet the power requirements of its consumers in the State of Jharkhand and West Bengal. The generating stations include both thermal and hydel stations. The power generation projected from own stations during the MYT period has been summarized below.

**Table 17: Power Generation from Own Stations submitted by Petitioner for MYT Period (MU)**

Station	Installed Capacity (MW)	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
BTPS 'B'	210	330.08	330.21	387.27	506.83	645.55
DTPS U#4	210	329.16	329.29	386.36	505.42	643.75
MTPS U#1to3	630	2837.45	2837.45	2972.86	3369.74	3793.30
MTPS U#4	210	1052.97	1053.50	998.33	1055.01	1055.66
HYDEL	147.20	288.08	290.96	293.87	296.81	299.77
<b>Sub Total</b>	<b>1407.20</b>	<b>4837.75</b>	<b>4841.40</b>	<b>5038.68</b>	<b>5733.81</b>	<b>6438.04</b>
MTPS U#5&6	5000	3008.62	3249.51	3357.27	3357.25	3357.24
MTPS U#7&8	1000	6287.27	6790.84	7017.84	7017.85	7017.85
CTPS U#7&8	500	2844.60	2884.01	2931.55	2963.08	3002.58
DSTPS U#1&2	1000	6287.27	6790.80	7016.92	7016.92	7017.85
KTPS U#1&2	1000	5944.65	6027.17	6126.41	6192.31	6274.78
BTPS 'A'	500	3143.53	3395.44	3508.00	3507.99	3508.92



Station	Installed Capacity (MW)	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
RTPS U#1&2	1200	7544.74	8148.98	8420.49	8420.49	8421.41
<b>Sub Total</b>	<b>5700</b>	<b>35060.67</b>	<b>37286.75</b>	<b>38378.49</b>	<b>38475.88</b>	<b>38600.64</b>
<b>Grand Total</b>	<b>7107.20</b>	<b>39898.42</b>	<b>42128.15</b>	<b>43417.17</b>	<b>44209.70</b>	<b>45038.68</b>

### Commission's Analysis

- 5.18 The Commission has examined the submission made by the Petitioner and directed the Petitioner to elaborate the methodology followed for arriving at quantum of actual generation (MU) from its own plant for the MYT Control Period. The Petitioner in its reply submitted that projections have been made considering the past trend of generation and factors affecting the generation such as future load growth, commissioning/decommissioning of Units, outage hours due to maintenance schedules, fuel availability, system demand, FGD compliance etc. The Petitioner further added that they have projected yearly generation based on plant specific Units from individual generating stations to provide 24x7 power supply to consumers. The Petitioner has considered normative generation for each station as per CERC (Terms and conditions of Tariff) regulations, 2019 to arrive at ex-bus generation for the MYT Control Period (i.e. FY 2021-22 to FY 2025-26). Further, the Petitioner has submitted that while projecting own generation it has factored in the appropriate reserve capacity to ensure uninterrupted power supply to the consumers even in case of schedule shutdown of plants and fuel scarcity to a certain extent.
- 5.19 The Commission for the purpose of MYT projection has considered the actual PLF (available on National Power Portal) and normative auxiliary consumption for FY 2021-22 and FY 2022-23 (available till November month) and for remaining period of the Control Period on normative PLF and Normative Auxiliary Consumption as approved in CERC (Term and Condition of Tariff) Regulations, 2019. Considering the past generation trends of generating station i.e. DTPS U#4, the Commission has considered the average of last five years for projection from FY 2023-24 to FY 2025-26. As BTPS 'B' is already decommissioned hence it is not considered in the generation projection. For the purpose of Hydro generation last five years average generation has been considered for the projection.

**Table 18: Power Generation from Own Stations approved by the Commission for MYT Period (MU)**

Station	Installed Capacity (MW)	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
DTPS U# 4	210	192.52	181.40	343.79	241.30	214.99
MTPS U#1 to 3	630	3704.56	3884.03	4351.04	4339.16	4339.16
MTPS U# 4	210	1234.85	1294.68	1450.35	1446.39	1446.39



Station	Installed Capacity (MW)	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Hydro	147.2	259.02	257.26	255.59	269.70	283.39
<b>Sub Total</b>	<b>1197.20</b>	<b>5390.96</b>	<b>5617.37</b>	<b>6400.77</b>	<b>6296.54</b>	<b>6283.93</b>
MTPS U# 5 & 6	500	2940.13	3082.56	3453.21	3443.78	3443.78
MTPS U# 7 & 8	1000	5880.25	6165.13	6906.42	6887.55	6887.55
CTPS U# 7 & 8	500	3453.46	3281.59	3453.21	3443.78	3443.78
DSTPS U # 1 & 2	1000	5785.51	6289.96	6906.42	6887.55	6887.55
KTPS U# 1 & 2	1000	6531.77	6606.54	6906.42	6887.55	6887.55
BTPS 'A'	500	2824.51	3507.75	3453.21	3443.78	3443.78
RTPS U # 1 & 2	1200	5251.36	5251.36	8287.70	8265.06	8265.06
<b>Sub Total</b>	<b>5700.00</b>	<b>32666.99</b>	<b>34184.90</b>	<b>39366.59</b>	<b>39259.04</b>	<b>39259.04</b>
<b>Total</b>	<b>6897.20</b>	<b>38057.95</b>	<b>39802.27</b>	<b>45767.37</b>	<b>45555.58</b>	<b>45542.96</b>

### Power Purchase from Other Sources

#### Petitioner's Submission

5.20 The Petitioner submitted that the balance energy demand is met through power purchase from other sources, viz., NTPC, NHPC, PTC, MPL etc. In case of contingency situation i.e. shortage of own generation or CSGS/MPL etc., DVC meets the real time demand by purchasing power from Power Exchange. The Petitioner further submitted that it has decided to surrender the Contracted Capacity of 150 MW from MPL with effect from September 2021 thus, there will be no power purchase proposed from MPL from FY 2022-23 onwards.

**Table 19: Power Purchase from Other Sources projected by Petitioner for MYT Period (MUs)**

Source	Allocation to DVC (MW)	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
<b>NHPC</b>						
Rangit	6.00	34.72	35.06	35.40	35.74	36.07
Teesta	44.00	236.11	237.60	239.09	240.58	242.07
<b>NTPC</b>						
TSTPS Stage 1	2.00	12.53	12.70	12.86	13.02	13.18
<b>PTC</b>						
Chukha	28.00	181.02	184.64	188.33	192.10	195.94
Kurichu	30.00	47.40	50.69	53.98	57.28	60.57
Tala	55.94	162.97	166.23	169.55	172.94	176.40
<b>KBUNL</b>	10.14	56.84	57.65	58.46	59.26	60.07
<b>MPL</b>	150.00	383.34	0.00	0.00	0.00	0.00
<b>Total</b>	<b>326.08</b>	<b>1114.93</b>	<b>744.56</b>	<b>757.67</b>	<b>770.91</b>	<b>784.31</b>
<b>GRID Loss</b>	-	<b>18.58</b>	<b>13.49</b>	<b>13.73</b>	<b>13.97</b>	<b>14.22</b>
Contingency Power (Gross)	-	130.75	100.57	95.54	90.52	85.49
<b>Contingency Power (Net)</b>	-	<b>130.00</b>	<b>100.00</b>	<b>95.00</b>	<b>90.00</b>	<b>85.00</b>
<b>Solar Net</b>	-	65.94	66.83	67.71	68.60	69.49



Source	Allocation to DVC (MW)	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
STU Loss Solar	-	1.01	1.00	0.99	0.98	0.97
GTAM Solar	-	100.00	150.00	200.00	250.00	300.00
GTAM Non-Solar	-	100.00	150.00	200.00	250.00	300.00
Net Power Purchase (MU)	-	1491.29	1196.90	1305.66	1414.56	1523.60

### Commission's Analysis

5.21 The Commission vide deficiency letter directed the Petitioner to submit the detailed methodology for projection of Power Purchase from Other Sources for MYT Control Period. The Petitioner in its reply submitted the detail methodology as follows:

- The Petitioner submitted that it has purchases power from NTPC (TSTPS Stage-I), KBUNL etc. as per allocation made by Ministry of Power (MoP). The Petitioner has entered into Long Term Power Purchase Agreement (PPA) with KBUNL (2.6% of Installed Capacity of 390MW) and NTPC TSPS (Stage-I) (0.2% of Installed Capacity of 1000MW) and also has entered into PPA with Maithon Power Limited (MPL) for 150 MW.
- Power Purchase quantum from Thermal Generating Stations has been projected based on actual allocation from September 2020. In case of MPL, the Petitioner has decided to surrender the Contracted Capacity of 150 MW with effect from September 2021. Therefore, no power is procured from MPL from FY 2022-23 onwards.
- For projection of power purchase from hydro generating stations of NHPC and PTC, the Petitioner has considered the historical trend of power purchase for last five (5) years to forecast power purchase from the MYT Control Period from FY 2021-22 to FY 2025-26 which accounts for all seasonal variations in generation of hydro generating units.
- Transaction of green power through GTAM has commenced from August 2020 and DVC has started procurement from September 2020. For solar and non-solar purchase in first year 100 MUs has been considered and 50 MUs year -on-year addition has been considered thereafter for the entire MYT control period. Since procurement from energy exchange in GTAM is at a very nascent stage where market dynamics is yet to evolve, the Petitioner submitted that no trend could be considered for projecting green power purchase through GTAM during the MYT Control Period.



- In case of contingency purchase, DVC has considered the historical trends to project energy purchase from exchanges during the control period which also accounts for all past variations and fluctuations in power purchases.

5.22 The Commission has examined the submission made by the Petitioner and has projected the Power purchase from Other Sources in line with the Petitioner projection except for Contingency purchase. Since, the energy requirement is fulfilled from Own Generation and Power Purchase from Other Sources excluding Contingency purchase thus, the Commission has not projected any contingency purchase for the MYT Control period and the same will be dealt at the time of truing up after prudence check. The Power Purchase from Other Sources approved by the Commission for the MYT period is tabulated below, which is subjected to prudence check at the time of truing up based on audited account.

**Table 20: Power Purchase from Other Sources approved by the Commission for MYT Period (MUs)**

Source	Allocation to DVC (MW)	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
<b>NHPC</b>						
Rangit	6.00	34.72	35.06	35.40	35.74	36.07
Teesta	44.00	236.11	237.60	239.09	240.58	242.07
<b>NTPC</b>						
TSTPS Stage 1	2.00	12.53	12.70	12.86	13.02	13.18
<b>PTC</b>						
Chukha	28.00	181.02	184.64	188.33	192.10	195.94
Kurichu	30.00	47.40	50.69	53.98	57.28	60.57
Tala	55.94	162.97	166.23	169.55	172.94	176.40
<b>KBUNL</b>	10.14	56.84	57.65	58.46	59.26	60.07
<b>MPL</b>	150.00	383.34	0.00	0.00	0.00	0.00
<b>Total</b>	<b>326.08</b>	<b>1114.93</b>	<b>744.56</b>	<b>757.67</b>	<b>770.91</b>	<b>784.31</b>
<b>GRID Loss</b>	-	<b>18.58</b>	<b>13.49</b>	<b>13.73</b>	<b>13.97</b>	<b>14.22</b>
<b>Solar Net</b>	-	65.94	66.83	67.71	68.60	69.49
<b>STU Loss Solar</b>	-	1.01	1.00	0.99	0.98	0.97
<b>GTAM Solar</b>	-	100.00	150.00	200.00	250.00	300.00
<b>GTAM Non-Solar</b>	-	100.00	150.00	200.00	250.00	300.00
<b>Net Power Purchase (MU)</b>	-	<b>1361.29</b>	<b>1096.90</b>	<b>1210.66</b>	<b>1324.56</b>	<b>1438.60</b>

### Renewable Purchase Obligation

#### *Petitioner Submission's*

5.23 The Petitioner submitted that it has considered the RPO in the line with the present applicable Regulations as notified by the Commission. The Petitioner further submitted that while issuing Tariff Order dated September 30, 2020, the Commission had directed



the Petitioner to comply with all pending RPO compliance including RPO corresponding to Sales to other Licensees from FY 2016-17 onwards.

- 5.24 Accordingly, the Petitioner has proposed to be fulfil 5% of RPO shortfall of FY 2016-17 to FY 2019-20 in FY 2020-21 and the balance 95% of RPO shortfall for FY 2016-17 to FY 2019-20 is proposed to be fulfilled during the MYT Control period as is spread over the MYT Control Period in order to avoid tariff shock to consumers.

**Table 21: Renewable Purchase Obligation as projected by Petitioner for MYT Period (MUs)**

Particulars	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Solar RPO for the FY	577.86	609.64	641.46	673.42	705.43
Shortfall in Solar RPO from previous years (FY16-17 to FY19-20) carried forward to MYT period	208.04	208.04	208.04	208.04	208.04
Total Solar RPO to be met in the FY	785.90	817.67	849.50	881.46	913.47
Solar RPO meet through purchase of Solar power	158.30	207.84	257.61	306.90	356.24
Solar RPO to be met by purchasing Solar REC	619.95	600.85	581.79	562.86	543.98
Non-Solar RPO of DVC for the FY	407.08	430.11	453.17	476.32	499.51
Shortfall in Non-Solar RPO from previous years (FY16-17 to FY19-20) carried forward to MYT period	190.58	190.58	190.58	190.58	190.58
Total Non-Solar RPO to be met in the FY	597.65	620.68	643.75	666.90	690.09
Non-solar RPO meet through purchase of Non-solar power	66.69	97.67	130.56	161.24	192.26
Non-Solar RPO to be met by purchasing Non-Solar REC	544.86	547.01	549.14	551.32	553.51

### *Commission's Analysis's*

- 5.25 The Commission vide deficiency letter directed the Petitioner to reconcile the RPO target as per JSERC (Renewable Energy Purchase Obligation and its compliance) (first Amendment) Regulations, 2021. The Petitioner in its reply submitted that while projecting the ARR for the Control period, the Petitioner has considered RPO for the State of Jharkhand in line with the Regulation 5.2 of JSERC (Renewable Purchase Obligation and its compliance) Regulations 2016 and subsequent order dated April 24, 2020 in Suo Moto Case No. 07 of 2020. The Petitioner submitted that RPO computation along with petition, does not factor in RPO amendment Regulations dated January 21, 2021. Accordingly, the Petitioner submitted the reconciled RPO target as per JSERC (Renewable Purchase Obligation and its compliance) (First Amendment) regulations, 2021.
- 5.26 The Commission has examined the revised submission made by the Petitioner and projected the RPO target as per the RPO Principal Regulation along with amendment dated January 21, 2021.



Table 22: RPO approved by the Commission for MYT Period (MUs)

Particulars	FY	FY	FY	FY	FY
	2021-22	2022-23	2023-24	2024-25	2025-26
Solar RPO for the FY	831.09	940.47	1056.18	1091.25	1127.47
Shortfall in Solar RPO from previous years (FY16-17 to FY19-20) carried forward to MYT period	208.04	208.04	208.04	208.04	208.04
Total Solar RPO to be met in the FY	1039.13	1148.50	1264.22	1299.29	1335.51
Solar RPO meet through purchase of Solar power	158.30	207.84	257.61	306.90	356.24
Solar RPO to be met by purchasing Solar REC	880.83	940.66	1006.62	992.38	979.27
Non-Solar RPO of DVC for the FY	831.09	940.47	1056.18	1091.25	1127.47
Shortfall in Non-Solar RPO from previous years (FY16-17 to FY19-20) carried forward to MYT period	190.58	190.58	190.58	190.58	190.58
Total Non-Solar RPO to be met in the FY	1021.67	1131.04	1246.76	1281.82	1318.05
Non-solar RPO meet through purchase of Non-solar power	66.69	97.67	130.56	161.24	192.26
Non-Solar RPO to be met by purchasing Non-Solar REC	954.98	1033.37	1116.20	1120.58	1125.79

### Power Purchase Cost from Own Generation

#### Petitioner's Submission

- 5.27 The Petitioner submitted that it has considered own generation cost based on the input cost as per the tariff petitions submitted before the Hon'ble CERC for the period FY 2019-24. In addition to above, for the period of FY 2024-25 and FY 2025-26 input costs have been projected based on past trend of tariff as submitted before CERC for the period from FY 2019-24. The Petitioner has also requested leave to revise the input cost of ARR related to own generation and T&D System on the issuance of tariff order by Hon'ble CERC for above said relevant periods.
- 5.28 While computing the Energy Charge Rate (ECR) of different thermal generating stations, the Petitioner has relied on the stipulated formula of CERC and yearly escalation factor of 3.91%. The yearly escalation for cost of coal during the period from FY 2021-22 to FY 2025-26 has been arrived at taking into consideration the average escalation in coal cost for competitive bidding during FY 2016-17 to FY 2020-21 in line with the methodology adopted by the Commission in its earlier order.

Table 23: Fixed Charge and Energy Charge projected by Petitioner for MYT Period (Rs. Cr.)

S No.	Station/item	FY 2021-22		FY 2022-23		FY 2023-24		FY 2023-24		FY 2023-24	
		Energy Charge	Fixed Charge								
1	BTPS 'B'	86.69	179.23	90.01	183.61	109.58	188.26	148.87	190.59	196.84	192.95
2	DTPS U# 4	129.99	186.44	134.97	192.01	164.37	197.75	223.19	202.33	295.09	207.02
3	MTPS 1to3	997.14	508.75	1035.87	541.50	1127.46	590.72	1327.64	631.08	1552.61	674.21



S No.	Station/item	FY 2021-22		FY 2022-23		FY 2023-24		FY 2023-24		FY 2023-24	
		Energy Charge	Fixed Charge								
4	MTPS 4	370.03	171.73	384.60	174.98	378.62	177.92	415.66	182.84	432.09	187.90
5	HYDEL	52.62	52.62	52.72	52.72	54.94	54.94	57.01	57.01	59.17	59.17
6	T&D	0.00	585.95	0.00	582.98	0.00	594.39	0.00	606.34	0.00	618.52
7	MTPS 5 & 6	565.66	269.83	644.59	282.58	696.42	293.14	723.62	282.60	751.32	272.24
8	MTPS 7 & 8	618.82	385.59	705.18	393.22	762.07	402.97	791.84	403.26	822.15	403.25
9	CTPS 7 & 8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	DSTPS 1 & 2	968.13	605.66	1103.22	606.98	1192.08	603.98	1238.63	596.53	1286.22	588.73
11	KTPS 1 & 2	70.04	52.23	74.91	52.75	79.62	52.64	83.62	52.45	87.97	52.23
12	BTPS A	369.02	475.94	420.49	476.23	454.24	471.39	471.93	464.79	490.08	457.93
13	RTPS 1 & 2	901.26	601.57	1027.03	597.66	1109.78	588.78	1153.13	586.90	1197.40	584.58

### Commission's Analysis

5.29 The Commission observed that the Petitioner being a statutory body is controlled by the Central Government as envisaged under section 79 (1) (a) of the Electricity Act, 2003, the tariff for generation of electricity is to be decided by Hon'ble CERC. Similarly, in regard to the inter-State transmission & distribution being an integrated activity, the Petitioner will again be regulated by CERC and tariff for composite and unified T&D system is to be determined by CERC in terms of Section 79 (1) (c) and (d) of the Electricity Act, 2003. In regard to retail sale and supply of electricity, DVC will be governed by the provisions of Section 62 read with Section 86 (1) of the Electricity Act, 2003 by the respective State Commissions, namely, the State Commissions in the State of Jharkhand and West Bengal. Accordingly, the generation and transmission tariff of the Petitioner as may be determined by CERC will be an input cost based on which the retail supply tariff is prepared.

5.30 Accordingly, the Commission has considered the latest Tariff Order issued by CERC for the determination of Fixed cost of the own generation for the MYT Control period from FY 2021-25 to FY 2025-26. It is observed that except for MTPS U#4 and T&D system, the latest Tariff Order available was of FY 2018-19. Hence the Commission for the projection purpose consider the latest tariff order issued by the CERC, subject to truing up based on orders of CERC.

**Table 24: CERC Order's consider by the Commission as input for AFC from Own Generating Stations**

Station	Date of CERC Order dated
BTPS 'B' (U#3)	19.05.2017
DTPS (U# 4)	20.07.2017
MTPS U#1to3	31.08.2016



Station	Date of CERC Order dated
MTPS U#4	30.11.2022
MHS	20.09.2016
PHS	20.09.2016
THS	23.09.2016
T&D System	10.06.2022 (Corrigendum dated 23.07.2022) & 02.03.2020
MTPS U#5&6	16.03.2017
MTPS U#7&8	03.10.2016
CTPS U#7&8	17.02.2017
DSTPS U#1&2	17.03.2017
KTPS U#1&2	28.02.2017
BTPS-‘A’	30.05.2018
RTPS U#1&2	28.09.2017

**Table 25: Annual Fixed Charge for own Generating Stations approved by the Commission for FY 2021-22 (Rs. Cr.)**

Station	Normative Availability (NAPAF)	Plant Availability Factor (PAFY)	Annual Fixed Charge (AFC) (Rs. Cr.)	Recoverable fixed charges as per CERC formula (Rs. Cr.)	Share of firm consumer	Recoverable Fixed charge from Firm Consumers (Rs. Cr.)
	A	B	C	D=Min (C,C*B/A)	E	F = D*E
BTPS ‘B’ U#3	75.00%	0.00%	95.37	0.00	100.00%	0.00
DTPS U#4	74.00%	61.50%	112.50	93.50	100.00%	93.50
MTPS U#1to3	85.00%	81.45%	362.06	346.93	100.00%	346.93
MTPS U#4	85.00%	80.49%	135.74	128.53	100.00%	128.53
MHS	80.00%	80.00%	17.45	17.45	100.00%	17.45
PHS	80.00%	80.00%	12.88	12.88	100.00%	12.88
THS	80.00%	80.00%	4.93	4.93	100.00%	4.93
T&D System	99.00%	99.47%	453.84	453.84	100.00%	453.84
MTPS U#5&6	85.00%	84.04%	473.78	468.45	56.32%	263.83
MTPS U#7&8	85.00%	77.98%	1019.21	935.01	31.29%	292.55
CTPS U#7&8	85.00%	89.15%	530.60	530.60	0.00%	0.00
DSTPS U#1&2	85.00%	87.23%	1104.17	1104.17	48.27%	533.03
KTPS U#1&2	85.00%	77.99%	1175.74	1078.82	4.02%	43.40
BTPS ‘A’	85.00%	75.94%	771.89	689.62	48.27%	332.91
RTPS U#1&2	85.00%	48.41%	1395.55	794.79	36.61%	290.96



**Table 26: Annual Fixed Charge for own Generating Stations approved by the Commission for FY 2022-23 (Rs. Cr.)**

Station	Normative Availability (NAPAF)	Plant Availability Factor (PAFY)	Annual Fixed Charge (AFC) (Rs. Cr.)	Recoverable fixed charges as per CERC formula (Rs. Cr.)	Share of firm consumer	Recoverable Fixed charge from Firm Consumers (Rs. Cr.)
	A	B	C	D=Min (C,C*B/A)	E	F = D*E
BTSP 'B' U#3	75.00%	0.00%	95.37	0.00	100.00%	0.00
DTSP U#4	74.00%	63.23%	112.50	96.12	100.00%	96.12
MTPS U#1to3	85.00%	79.72%	362.06	339.58	100.00%	339.58
MTPS U#4	85.00%	77.29%	135.74	123.43	100.00%	123.43
MHS	80.00%	80.00%	17.45	17.45	100.00%	17.45
PHS	80.00%	80.00%	12.88	12.88	100.00%	12.88
THS	80.00%	80.00%	4.93	4.93	100.00%	4.93
T&D System	99.00%	99.53%	453.84	453.84	100.00%	453.84
MTPS U#5&6	85.00%	82.02%	473.78	457.17	55.06%	251.72
MTPS U#7&8	85.00%	76.28%	1019.21	914.67	30.21%	276.28
CTPS U#7&8	85.00%	88.61%	530.60	530.60	0.00%	0.00
DSTPS U#1&2	85.00%	86.56%	1104.17	1104.17	46.73%	515.98
KTPS U#1&2	85.00%	83.61%	1175.74	1156.52	3.87%	44.79
BTSP 'A'	85.00%	78.26%	771.89	710.73	47.16%	335.14
RTSP U#1&2	85.00%	53.72%	1395.55	881.93	35.21%	310.54

**Table 27: Annual Fixed Charge for own Generating Station approved by the Commission for FY 2023-24 (Rs. Cr.)**

Station	Normative Availability (NAPAF)	Plant Availability Factor (PAFY)	Annual Fixed Charge (AFC) (Rs. Cr.)	Recoverable fixed charges as per CERC formula (Rs. Cr.)	Share of firm consumer	Recoverable Fixed charge from Firm Consumers (Rs. Cr.)
	A	B	C	D=Min (C,C*B/A)	E	F = D*E
BTSP 'B' U#3	75.00%	0.00%	95.37	0.00	100.00%	0.00
DTSP U#4	74.00%	63.68%	112.50	96.81	100.00%	96.81
MTPS U#1to3	85.00%	80.53%	362.06	343.00	100.00%	343.00
MTPS U#4	85.00%	78.35%	135.74	125.13	100.00%	125.13
MHS	80.00%	80.00%	17.45	17.45	100.00%	17.45
PHS	80.00%	80.00%	12.88	12.88	100.00%	12.88
THS	80.00%	80.00%	4.93	4.93	100.00%	4.93
T&D System	99.00%	99.58%	453.84	453.84	100.00%	453.84
MTPS U#5&6	85.00%	85.20%	473.78	473.78	44.55%	211.09
MTPS U#7&8	85.00%	77.96%	1019.21	934.79	23.97%	224.05
CTPS U#7&8	85.00%	88.67%	530.60	530.60	0.00%	0.00
DSTPS U#1&2	85.00%	87.18%	1104.17	1104.17	36.88%	407.22
KTPS U#1&2	85.00%	85.60%	1175.74	1175.74	2.92%	34.31
BTSP 'A'	85.00%	79.10%	771.89	718.33	37.14%	266.76
RTSP U#1&2	85.00%	59.43%	1395.55	975.67	30.51%	297.68



**Table 28: Annual Fixed Charge for own Generating Station approved by the Commission for FY 2024-25 (Rs. Cr.)**

Station	Normative Availability (NAPAF)	Plant Availability Factor (PAFY)	Annual Fixed Charge (AFC) (Rs. Cr.)	Recoverable fixed charges as per CERC formula (Rs. Cr.)	Share of firm consumer	Recoverable Fixed charge from Firm Consumers (Rs. Cr.)
	A	B	C	D=Min (C,C*B/A)	E	F = D*E
BTPS 'B' U#3	75.00%	0.00%	95.37	0.00	100.00%	0.00
DTPS U#4	74.00%	64.33%	112.50	97.80	100.00%	97.80
MTPS U#1to3	85.00%	84.84%	362.06	361.38	100.00%	361.38
MTPS U#4	85.00%	82.89%	135.74	132.37	100.00%	132.37
MHS	80.00%	80.00%	17.45	17.45	100.00%	17.45
PHS	80.00%	80.00%	12.88	12.88	100.00%	12.88
THS	80.00%	80.00%	4.93	4.93	100.00%	4.93
T&D System	99.00%	99.54%	453.84	453.84	100.00%	453.84
MTPS U#5&6	85.00%	87.61%	473.78	473.78	45.67%	216.35
MTPS U#7&8	85.00%	79.35%	1019.21	951.46	25.19%	239.70
CTPS U#7&8	85.00%	89.73%	530.60	530.60	0.00%	0.00
DSTPS U#1&2	85.00%	89.01%	1104.17	1104.17	38.78%	428.23
KTPS U#1&2	85.00%	87.32%	1175.74	1175.74	3.10%	36.43
BTPS 'A'	85.00%	80.44%	771.89	730.46	39.00%	284.91
RTPS U#1&2	85.00%	64.99%	1395.55	1067.01	31.60%	337.17

**Table 29: Annual Fixed Charge for own Generating Station approved by the Commission for FY 2025-26 (Rs. Cr.)**

Station	Normative Availability (NAPAF)	Plant Availability Factor (PAFY)	Annual Fixed Charge (AFC) (Rs. Cr.)	Recoverable fixed charges as per CERC formula (Rs. Cr.)	Share of firm consumer	Recoverable Fixed charge from Firm Consumers (Rs. Cr.)
	A	B	C	D=Min (C,C*B/A)	E	F = D*E
BTPS 'B' U#3	75.00%	0.00%	95.37	0.00	100.00%	0.00
DTPS U#4	74.00%	66.07%	112.50	100.44	100.00%	100.44
MTPS U#1to3	85.00%	85.14%	362.06	362.06	100.00%	362.06
MTPS U#4	85.00%	81.74%	135.74	130.54	100.00%	130.54
MHS	80.00%	80.00%	17.45	17.45	100.00%	17.45
PHS	80.00%	80.00%	12.88	12.88	100.00%	12.88
THS	80.00%	80.00%	4.93	4.93	100.00%	4.93
T&D System	99.00%	99.54%	453.84	453.84	100.00%	453.84
MTPS U#5&6	85.00%	87.04%	473.78	473.78	47.02%	222.76
MTPS U#7&8	85.00%	80.15%	1019.21	961.07	26.05%	250.34
CTPS U#7&8	85.00%	90.07%	530.60	530.60	0.00%	0.00
DSTPS U#1&2	85.00%	89.03%	1104.17	1104.17	40.11%	442.92
KTPS U#1&2	85.00%	86.78%	1175.74	1175.74	3.22%	37.92
BTPS 'A'	85.00%	81.39%	771.89	739.07	40.31%	297.90
RTPS U#1&2	85.00%	64.01%	1395.55	1050.95	32.35%	340.03



- 5.31 The Commission vide its deficiency letter directed the Petitioner to detail the methodology followed for arriving at Energy Charge Rate (ECR) for each of its generating stations for the MYT Control period. The Petitioner in its reply submitted that while projecting the Energy Charges, the Petitioner has considered the average of actual cost of fuel, including oil, as incurred by each power stations of DVC during the period from April 2019 to March 2022. The Petitioner has considered the average landed cost of primary fuel for FY 2019-20 and then escalated it with an escalation rate of 3.91% to arrive at the landed cost for FY 2021-22. The escalation rate considered is the average escalation rate for the period April 2016 to October 2020 as published by CERC (Bi-annually).
- 5.32 The CERC in its Notification dated April 23, 2021 determine the escalation rate as 0.93% for domestic coal procurement purpose for the FY 2020-21. Hence, for the purpose of projection of energy charge from own station, the Commission has considered the approved Energy Charge Rate (ECR) for FY 2019-20 and escalated with an escalation rate of 0.93% on yearly basis. It is clarified that the AFC and ECR rate approved here are provisional and subject to prudence check at the time of truing up based on actuals.

**Table 30: Energy Charges approved by the Commission from Own Generating Station (Rs. Cr.)**

Station	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
BTPS 'B' U#3	0.00	0.00	0.00	0.00	0.00
DTPS U#4	73.85	70.23	134.34	95.17	85.58
MTPS U#1to3	1236.02	1307.95	1478.85	1488.52	1502.36
MTPS U#4	398.70	421.91	477.03	480.15	484.62
MHS	17.45	17.45	17.45	17.45	17.45
PHS	12.88	12.88	12.88	12.88	12.88
THS	4.93	4.93	4.93	4.93	4.93
MTPS U#5&6	509.75	527.36	482.49	497.75	517.25
MTPS U#7&8	531.04	542.50	486.72	514.94	537.37
CTPS U#7&8	0.00	0.00	0.00	0.00	0.00
DSTPS U#1&2	819.31	870.28	761.16	805.69	841.06
KTPS U#1&2	70.86	69.64	55.37	59.18	62.16
BTPS 'A'	303.89	372.09	291.15	307.80	321.05
RTPS U#1&2	578.17	561.28	774.69	807.60	834.58

### Power Purchase Cost for DVC (Other than own Generation Station)

#### *Petitioner's Submission*

- 5.33 The Petitioner submitted that the power purchase cost from different Central Sector Generating Station, MPL etc. have been considered on projection basis for the FY 2021-24 period based on the tariff petitions submitted by them before CERC. For the period from



FY 2024-25 and FY 2025-26 the cost has been projected based on trend analysis. The Petitioner has decided to surrender the Contracted Capacity of 150 MW with effect from September 2021, hence, no power purchase has been proposed from MPL from FY 2022-23 onwards.

- 5.34 The Petitioner submitted that the tariff payable to Power Grid Corporation is also an input cost in addition to the cost of purchase of power in the determination of the distribution and retail supply of electricity in the Damodar Valley Area. Accordingly, the Petitioner has projected the Transmission charges for the MYT Period from FY 2021-22 to FY 2025-26.

### ***Commission's Analysis***

- 5.35 After meeting the energy requirement from own generation, the Commission has projected the balance energy requirement to be met through purchase of power from CSGS and other sources during MYT period from FY 2021-22 to FY 2025-26. Surplus power, if any, has been estimated to be sold at APPC of the Utility, subject to True-up based on audited accounts.
- 5.36 The Commission vide its deficiency letter directed the Petitioner to submit the detailed methodology followed in the computation of incidental charges related to power purchase viz. POC transmission charges, PTC Transmission Charges and ERPC fund. The Petitioner in its reply submitted that the Petitioner pays transmission charges to PGCIL for availing the transmission related services from PGCIL. In addition to that, DVC also pays Transmission charge to PTC for availing the service of dedicated transmission line used for conveying the power kurichu Hydro Station at Bhutan. Other charges include POSOCO charges and payment towards ERPC fund etc. For projection of incidental charges related to power purchase, the Petitioner has considered actual six months (i.e. from April 20 to Sept 20) data related to payment of transmission charges with anticipated escalation in view of CERC (Term and Conditions of sharing inter-state transmission charges) Regulations, 2020 effective from November 2020 on year-on-year basis. The Petitioner has also estimated Rs. 0.16 Crore per annum for ERPC fund without any escalation as part of incidental charges related to power purchase for the entire period. The Petitioner has decided to surrender contracted capacity of 150 MW from MPL with effect from September 2021, hence pro data reduction of POC transmission charges has been proposed FY 2022-23 onwards.



5.37 The Commission has scrutinized the submission made by the Petitioner and approves the power purchase rates including T&D cost in line with Petitioner claim, subject to prudence check at the time of truing up.

**Table 31: Energy Charge Rate for Power Purchase from Other Sources approved by the Commission (Paise/kWh)**

Source Stations	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
<b>NHPC</b>					
Rangit	333.11	340.61	348.73	355.66	362.81
Teesta	154.35	156.28	158.27	157.29	156.33
<b>NTPC</b>					
TSTPS Stage 1	341.01	349.29	357.93	366.90	376.25
<b>PTC</b>					
Chukha	240.16	240.16	240.16	240.16	240.16
Kurichu	217.00	217.00	217.00	217.00	217.00
Tala	216.00	216.00	216.00	216.00	216.00
<b>KBUNL</b>	662.33	670.93	671.93	695.34	710.34
<b>MPL</b>	482.84	0.00	0.00	0.00	0.00
<b>NTPC Solar Power</b>	944.98	944.98	944.98	944.98	944.98
<b>NVVNL Solar Power</b>	1077.86	1079.58	1081.30	1083.03	1084.76
NVVNL Solar Power Transmission Charges	106.49	106.66	106.83	107.00	107.18
GTAM Solar Power	332.32	332.32	332.32	332.32	332.32
GTAM Non-Solar Power	377.99	377.99	377.99	377.99	377.99

**Table 32: Power Purchase Cost from Other Sources approved by the Commission (Rs. Cr.)**

Source Stations	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
<b>NHPC</b>					
Rangit (NHPC)	11.57	11.94	12.34	12.71	13.09
Teesta (NHPC)	36.44	37.13	37.84	37.84	37.84
<b>Sub-Total</b>	<b>48.01</b>	<b>49.07</b>	<b>50.19</b>	<b>50.55</b>	<b>50.93</b>
<b>NTPC</b>					
TSTPS Stage 1	4.27	4.43	4.60	4.78	4.96
<b>Sub-Total</b>	<b>4.27</b>	<b>4.43</b>	<b>4.60</b>	<b>4.78</b>	<b>4.96</b>
NTPC Solar Power	30.87	32.00	33.13	34.25	35.38
NTPC - VVNL Solar Power	35.86	35.59	35.31	35.04	34.76
NVVNL Solar Power (Tr. Charges)	3.54	3.52	3.49	3.46	3.43
<b>Sub-Total</b>	<b>70.28</b>	<b>71.11</b>	<b>71.93</b>	<b>72.75</b>	<b>73.58</b>
<b>PTC power from Bhutan</b>					
Chukha (PTC)	43.47	44.34	45.23	46.13	47.06
Kurichu (PTC)	10.28	11.00	11.71	12.43	13.14



Source Stations	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Tala (PTC)	35.20	35.90	36.62	37.36	38.10
<b>Sub-Total</b>	<b>88.96</b>	<b>91.25</b>	<b>93.57</b>	<b>95.92</b>	<b>98.30</b>
<b>KBUNL</b>	37.65	38.68	39.28	41.21	42.67
<b>MPL</b>	185.09	0.00	0.00	0.00	0.00
<b>GTAM Purchase (Solar)</b>	33.23	49.85	66.46	83.08	99.70
<b>GTAM Purchase (Non-Solar)</b>	37.80	56.70	75.60	94.50	113.40
<b>Total</b>	<b>505.30</b>	<b>361.08</b>	<b>401.63</b>	<b>442.79</b>	<b>483.53</b>

5.38 The Commission has considered the price of Solar and Non-Solar REC as Rs. 1000 per certificates for computation in this Order. However, the Commission would take into account any change in value, GST etc. at the time of truing up. The cost of RPO approved by the Commission is as follows:

**Table 33: Renewable Purchase Obligation approved by the Commission (Rs. Cr.)**

Particulars	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Total Solar RPO in Jharkhand part of DVC (MU)	1039.13	1148.50	1264.22	1299.29	1335.51
Solar RPO met through purchase of Solar power (MU)	158.30	207.84	257.61	306.90	356.24
Balance Solar RPO met through purchase of Solar REC (MU)	880.83	940.66	1006.62	992.38	979.27
Cost of Solar energy (Rs. Cr.)	98.75	115.94	133.17	150.11	167.06
Cost of Solar REC (Rs. Cr.)	88.08	94.07	100.66	99.24	97.93
<b>Cost of solar RPO for Jharkhand (Rs. Cr.)</b>	<b>186.83</b>	<b>210.01</b>	<b>233.83</b>	<b>249.35</b>	<b>264.99</b>
Non-Solar RPO in Jharkhand part of DVC (MU)	1021.67	1131.04	1246.76	1281.82	1318.05
Non-Solar RPO met through purchase of Non-Solar power from GTAM (MU)	66.69	97.67	130.56	161.24	192.26
Balance Non-Solar RPO met through purchase of Non-Solar REC (MU)	954.98	1033.37	1116.20	1120.58	1125.79
Cost of Non-Solar energy from GTAM (Rs. Cr.)	25.21	36.92	49.35	60.95	72.67
Cost of Non-Solar REC (Rs. Cr.)	95.50	103.34	111.62	112.06	112.58
<b>Cost of Non-Solar RPO for Jharkhand (Rs. Cr.)</b>	<b>120.71</b>	<b>140.26</b>	<b>160.97</b>	<b>173.01</b>	<b>185.25</b>
<b>Cost of Solar &amp; Non-Solar RPO for Jharkhand (Rs. Cr.)</b>	<b>307.53</b>	<b>350.26</b>	<b>394.80</b>	<b>422.36</b>	<b>450.24</b>

## Environmental Protection and Other Cess

### *Petitioner's Submission*

5.39 The Petitioner has claimed Rs. 0.10 Crore towards Environmental and Water Cess for each of the MYT Control Period from FY 2021-22 to FY 2025-26.



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***Commission's Analysis***

- 5.40 The Commission directed the Petitioner to provide the basis for projecting the Environmental Protection and Other Cess. The Petitioner in its reply submitted that DVC had paid Water and Pollution Cess of Rs. 0.16 Crore and Rs. 0.33 Crore in FY 2017-18 and FY 2018-19 respectively. The Commission vide Order dated September 30, 2020 had also approved amount of Rs. 0.20 Crore towards Water and Pollution Cess for FY 2019-20 and FY 2020-21 as claimed by DVC. Accordingly, the Petitioner has projected the Environmental Protection and Other Cess as Rs. 0.10 Crore for each year of MYT Control Period. However, DVC craves leaves to submit details of actual Cess paid during truing up/APR of the above said Control Period.
- 5.41 The Commission after scrutinizing the detail submitted by the Petitioner, provisionally approves the Environmental Protection and Other Cess as claimed by the Petitioner, subject to prudence check at the time of truing up.

**Tariff Filing Fees & Publication Expenses of CERC**

***Petitioner's Submission***

- 5.42 The Petitioner has projected Tariff Filing Fee and Publication Expenses payable to CERC based on CERC (payment of Fees) Regulation, 2012 and subsequent amendments thereof. The Petitioner has projected the Tariff Filing Fees on year-on-year basis considering total installed capacity of generating stations (7107.2 MW) and projected Annual Fixed Cost of T&D Network of DVC for the Control period based on the CERC payment of Fees) Regulation, 2012 as mentioned above.
- 5.43 The Petitioner also submitted that for projection purpose DVC has considered the average Publication Expenses for past years and projected an amount of Rs. 0.35 Crore for FY 2021-22. The Petitioner had projected the Publication Expenses for rest of the Control Period considering suitable escalation based on past trend.

***Commission's Analysis***

- 5.44 The Commission has examined the details submitted by the Petitioner. The Commission in this order has considered the approved True up value of Tariff Filing Fees for FY 2019-20 based on the actuals as Tariff Filing Fees for each year of the Control Period from FY 2021-22 to FY 2025-26, subject to prudence check at the time of truing up.



5.45 Similarly, in regard to Publication Expenses, the Commission has considered the approved True up value of Publication Expenses for FY 2019-20 as the Publication Expenses for each year of the Control Period from FY 2021-22 to FY 2025-26, subject to prudence check at the time of truing up.

### **Non-Tariff Income**

#### ***Petitioner's submission***

5.46 The Petitioner submitted that as per actuals, the ratio of Non-Tariff Income (NTI) to total Annual Revenue Requirement (ARR) for Jharkhand for FY 2019-20 was 0.55%. The Petitioner has projected Non-Tariff Income (NTI) for the Control period in the same ratio for the ensuing years.

#### ***Commission's analysis***

5.47 The Commission provisionally approves the Non-Tariff Income (NTI) as claimed by the Petitioner, subject to prudence check at the time of truing up.

### **Interest on Temporary Financial Assistance**

#### ***Petitioner's submission***

5.48 The Petitioner submitted that the Temporary Financial Accommodation is required to fund the deferred/delayed payment by consumers. The Temporary Financial Accommodation is used to fund the deferred/delayed payment for all firm consumers of Petitioner (including JBVNL). Since the entire Delayed Payment Surcharge (including that from JBVNL) is deducted from the ARR to arrive at Net ARR for Jharkhand distribution activity of Petitioner, hence the entire Temporary Financial Accommodation (including that due to JBVNL) is claimed as part of the ARR by the Petitioner.

#### ***Commission's Analysis***

5.49 Based on the approved value of Non-Tariff Income (NTI) i.e. basically due to Delay Payment Surcharge, the Commission has computed the provisional principal amount outstanding considering the Delay Payment Surcharge rate as per Supply Code Regulations. The interest on Temporary financial assistance is computed taking into account the computed provisional principal amount outstanding and interest rate approved for working capital.



## Legal Charges and Consultancy Fees

### *Petitioner's submission*

5.50 The Petitioner has projected the Legal Charges and Consultancy Fees for the DVC command area for the MYT Control period from FY 2021-22 to FY 2025-26 and requested the Commission to approve the same.

### *Commission's Analysis*

5.51 The Commission observed that Legal Charges and Consultancy Fees are part of Operation and Maintenance (O&M) Expenses which is approved by CERC. Hence, the Commission has not approved the Legal Charges and Consultancy Fees separately.

## Allocation of Costs for DVC as a whole to Jharkhand Area

### *Petitioner's Submission*

5.52 The Petitioner has submitted that the input costs including own generation cost, Power Purchase Cost, Other Input Cost, etc. cannot be segregated into the cost pertaining to Jharkhand and West Bengal area as DVC operates as a single entity. Thus, the Petitioner has submitted that for the purpose of computing retail tariffs pertaining to Jharkhand area, the input cost of DVC be bifurcated in the ratio of the energy sales in Jharkhand area to the total sales in the Damodar Valley area.

### *Commission's Analysis*

5.53 The Commission has allocated the expenses of DVC as a whole to Jharkhand area based on sales ratio i.e. methodology approved by the Commission in the previous Tariff Orders.

**Table 34: Cost Allocation for Jharkhand submitted by Petitioner and approved by the Commission for FY 2021-22 (Rs. Crore)**

Particular	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	5129.40	4075.53	4556.86	2814.73
Power Purchase Cost from Other Sources	513.58	0.00	465.29	0.00
Tariff Filing Fees & Publication Expenses to CERC	0.00	4.76	0	7.38
Environmental Protection and Other Cess	0.00	0.10	0	0.10
Less: Non-Tariff Income (NTI)	27.36	0.00	26.84	0
Add: Interest on Temporary Financial Accommodation	23.94	0.00	20.88	0
Add: Legal Charges & Consultancy Fees	0.00	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>5639.57</b>	<b>4082.28</b>	<b>5016.18</b>	<b>2822.21</b>
Ratio of Sales in Jharkhand	45.91%	45.91%	47.62%	47.62%



Particular	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
<b>ARR Apportioned to Jharkhand</b>	<b>2589.20</b>	<b>1874.23</b>	<b>2388.61</b>	<b>1343.88</b>

**Table 35: Cost Allocation for Jharkhand submitted by Petitioner and approved by the Commission for FY 2022-23 (Rs. Crore)**

Particular	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	5673.58	4137.22	4778.49	2782.69
Power Purchase Cost from Other Sources	302.11	-	264.96	0
Tariff Filling Fees & Publication Expenses to CERC	-	4.77	0	7.38
Environmental Protection and Other Cess	-	0.10	0	0.10
Less: Non-Tariff Income (NTI)	28.29	-	28.29	0
Add: Interest on Temporary Financial Accommodation	24.75	-	22.00	0
Add: Legal Charges & Consultancy Fees	-	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>5972.16</b>	<b>4143.98</b>	<b>5037.16</b>	<b>2790.17</b>
Ratio of Sales in Jharkhand	46.40%	46.40%	48.09%	48.09%
<b>ARR Apportioned to Jharkhand</b>	<b>2771.28</b>	<b>1922.95</b>	<b>2422.29</b>	<b>1341.74</b>

**Table 36: Cost Allocation for Jharkhand submitted by Petitioner and approved by the Commission for FY 2023-24 (Rs. Crore)**

Particular	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	6129.18	4216.88	4977.07	2495.16
Power Purchase Cost from Other Sources	308.49	-	273.20	0.00
Tariff Filling Fees & Publication Expenses to CERC	-	4.81	0.00	7.38
Environmental Protection and Other Cess	-	0.10	0.00	0.10
Less: Non-Tariff Income (NTI)	30.13	-	30.13	0.00
Add: Interest on Temporary Financial Accommodation	26.36	-	23.43	0.00
Add: Legal Charges & Consultancy Fees	-	1.89	0.00	0.00
<b>Total ARR of DVC (Distribution)</b>	<b>6,433.91</b>	<b>4,223.69</b>	<b>5243.57</b>	<b>2502.64</b>
Ratio of Sales in Jharkhand	46.86%	46.86%	48.56%	48.56%
<b>ARR Apportioned to Jharkhand</b>	<b>3,014.63</b>	<b>1,979.02</b>	<b>2546.22</b>	<b>1215.25</b>

**Table 37: Cost Allocation for Jharkhand submitted by Petitioner and approved by the Commission for FY 2024-25 (Rs. Crore)**

Particular	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	6,635.15	4,256.73	5092.05	2623.45
Power Purchase Cost from Other Sources	315.70	-	282.26	0
Tariff Filling Fees & Publication Expenses to CERC	-	4.86	0	7.38
Environmental Protection and Other Cess	-	0.10		0.10
Less: Non-Tariff Income (NTI)	32.00	-	32.00	0



Particular	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Add: Interest on Temporary Financial Accommodation	28.00	-	24.89	0
Add: Legal Charges & Consultancy Fees	-	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>6,946.85</b>	<b>4,263.58</b>	<b>5367.20</b>	<b>2630.93</b>
Ratio of Sales in Jharkhand	47.27%	47.27%	49.03%	49.03%
<b>ARR Apportioned to Jharkhand</b>	<b>3,283.89</b>	<b>2,015.47</b>	<b>2631.53</b>	<b>1289.94</b>

**Table 38: Cost Allocation for Jharkhand submitted by Petitioner and approved by the Commission for FY 2025-26 (Rs. Crore)**

Particular	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	7,170.94	4,298.72	5221.30	2674.01
Power Purchase Cost from Other Sources	322.70	-	291.12	-
Tariff Filing Fees & Publication Expenses to CERC	-	4.91	0	7.38
Environmental Protection and Other Cess	-	0.10	0	0.10
Less: Non-Tariff Income (NTI)	33.97	-	33.97	0
Add: Interest on Temporary Financial Accommodation	29.72	-	26.42	0
Add: Legal Charges & Consultancy Fees	-	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>7,489.40</b>	<b>4,305.62</b>	<b>5504.87</b>	<b>2681.49</b>
Ratio of Sales in Jharkhand	47.66%	47.66%	49.50%	49.50%
<b>ARR Apportioned to Jharkhand</b>	<b>3,569.19</b>	<b>2,051.91</b>	<b>2724.96</b>	<b>1327.36</b>

### Interest on Working Capital

#### *Petitioner's Submission*

5.54 The Petitioner has projected the interest on Working Capital from the MYT Control Period from FY 2021-22 to FY 2025-26 in accordance with the applicable provisions of the Tariff Regulations, 2020.

#### *Commission's Analysis*

5.55 The Commission is of the view that since O&M Cost and other expenses of the Petitioner are included in the cost of generation of power from its own stations, applying the aforementioned methodology as per the Tariff Regulations, 2020 would not be proper. Thus, the Commission has considered the methodology adopted by the Commission in its earlier Orders for computation of Interest on Working Capital.



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## **Interest on Security Deposit**

### ***Petitioner's Submission***

5.56 The Petitioner has projected the interest on Security Deposit at the rate of 7% for the MYT Control Period from FY 2021-22 to FY 2025-26.

### ***Commission's Analysis***

5.57 The Commission has considered the average Security Deposit as estimated by the Petitioner. For computation of Interest on Security Deposit, the Commission has considered the rate of interest of Security Deposit as SBI Base as on April 01, 2021 for FY 2021-22 and thereafter SBI Base rate as on April 01, 2022 for the subsequent years of the MYT Control Period, subject to truing up based on actuals.

## **Tariff Filing Fees and Publication Expenses (JSERC)**

### ***Petitioner's Submission***

5.58 The Petitioner submitted that the Tariff Filing Fees for JSERC consist of Tariff Filing Fees, APR Fees and Annual License Fees. The Petitioner has projected the Tariff Filing Fees for the MYT Control Period as per JSERC (Conduct of Business) Regulations, 2016.

5.59 The Petitioner also submitted that for projection purpose DVC has considered the average Publication Expenses for past years and projected an amount of Rs. 0.40 Crore for FY 2021-22. The Petitioner had projected the Publication Expenses for rest of the Control Period considering suitable escalation based on past trend.

### ***Commission's Analysis***

5.60 The Commission has examined the detail submitted by the Petitioner. The Commission in this order has considered the approved True up value of Tariff Filing Fees for FY 2019-20 based on the actuals as Tariff Filing Fees for each year of the Control Period from FY 2021-22 to FY 2025-26, subject to prudence check of actuals at the time of truing up.

5.61 Similarly, with regard to Publication Expenses, the Commission has considered the approved True up value of Publication Expenses for FY 2019-20 as the Publication Expenses for each year of the Control Period from FY 2021-22 to FY 2025-26, subject to prudence check of actuals at the time of truing up.



## Rebate and Discount allowed to Consumers

### *Petitioner's submission*

5.62 The Petitioner has projected the Rebate and Discount as 2% of ARR allocated to the State of Jharkhand for each year of the MYT Control Period.

### *Commission's Analysis*

5.63 The Commission observed that the approved Rebate for FY 2019-20 is only 0.87% of the approved ARR while truing up of FY 2019-20. Thus, taking into account of the same, the Commission provisionally considered the Rebate and Discount as 1% of the approved ARR for each year of the MYT Control Period, subject to prudence check at the time of truing up based on actuals.

## Summary of ARR for Jharkhand area for the Control Period

5.64 The Commission has approved ARR for MYT Control Period from FY 2021-22 to FY 2025-26 vis-à-vis ARR submitted by the Petitioner as summarised below.

**Table 39: ARR submitted by Petitioner and approved by the Commission for FY 2021-22 (Rs. Cr.)**

Particular	FY 2021-22			
	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	5129.40	4075.53	4556.86	2814.73
Power Purchase Cost from Other Sources	513.58	0.00	465.29	0.00
Tariff Filling Fees & Publication Expenses to CERC	0.00	4.76	0	7.38
Environmental Protection and Other Cess	0.00	0.10	0	0.10
Less: Non-Tariff Income (NTI)	27.36	0.00	26.84	0
Add: Interest on Temporary Financial Accommodation	23.94	0.00	20.88	0
Add: Legal Charges & Consultancy Fees	0.00	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>5639.57</b>	<b>4082.28</b>	<b>5016.18</b>	<b>2822.21</b>
Ratio of Sales in Jharkhand	45.91%	45.91%	47.62%	47.62%
<b>ARR Apportioned to Jharkhand</b>	<b>2589.20</b>	<b>1874.23</b>	<b>2388.61</b>	<b>1343.88</b>
Cost of Solar & Non Solar Power and REC Purchased to meet the solar & non solar RPO in the state of Jharkhand	333.28	0.00	307.53	0.00
Interest on Working Capital	0.00	69.67	0.00	4.30
Interest on Security Deposit	0.00	8.27	0.00	8.75
Tariff Filing Fees & Publication Expenses in JSERC	0.00	0.90	0.00	1.09
Rebate and discount allowed to Consumers	99.50	0.0	40.95	0.00
<b>ARR for Jharkhand</b>	<b>3021.98</b>	<b>1953.08</b>	<b>2737.09</b>	<b>1358.02</b>
<b>Net ARR for Jharkhand</b>	<b>4975.06</b>		<b>4095.11</b>	
<b>Sale in Jharkhand (MU)</b>	<b>7885.99</b>		<b>7664.85</b>	



Particular	FY 2021-22			
	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Average Cost of Supply (Rs. / kWh)	6.31		5.34	

Table 40: ARR submitted by Petitioner and approved by the Commission for FY 2022-23 (Rs. Cr.)

Particular	FY 2022-23			
	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	5673.58	4137.22	4778.49	2782.69
Power Purchase Cost from Other Sources	302.11	-	264.96	0
Tariff Filling Fees & Publication Expenses to CERC	-	4.77	0	7.38
Environmental Protection and Other Cess	-	0.10	0	0.10
Less: Non-Tariff Income (NTI)	28.29	-	28.29	0
Add: Interest on Temporary Financial Accommodation	24.75	-	22.00	0
Add: Legal Charges & Consultancy Fees	-	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>5972.16</b>	<b>4143.98</b>	<b>5037.16</b>	<b>2790.17</b>
Ratio of Sales in Jharkhand	46.40%	46.40%	48.09%	48.09%
<b>ARR Apportioned to Jharkhand</b>	<b>2771.28</b>	<b>1922.95</b>	<b>2422.29</b>	<b>1341.74</b>
Cost of Solar & Non Solar Power and REC Purchased to meet the solar & non solar RPO in the state of Jharkhand	263.68	-	350.26	0.00
Interest on Working Capital	-	73.43	-	4.38
Interest on Security Deposit	-	8.70	0.00	9.38
Tariff Filing Fees & Publication Expenses in JSERC	-	92.32	0.00	1.09
Rebate and discount allowed to Consumers	102.87	-	41.71	0.00
<b>ARR for Jharkhand</b>	<b>3137.84</b>	<b>2006.01</b>	<b>2814.26</b>	<b>1356.60</b>
<b>Net ARR for Jharkhand</b>	<b>5143.85</b>		<b>4170.85</b>	
<b>Sale in Jharkhand (MU)</b>	<b>8324.99</b>		<b>7919.35</b>	
Average Cost of Supply (Rs. / kWh)	6.18		5.27	

Table 41: ARR submitted by Petitioner and approved by the Commission for FY 2023-24 (Rs. Cr.)

Particular	FY 2023-24			
	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	6129.18	4216.88	4977.07	2495.16
Power Purchase Cost from Other Sources	308.49	-	273.20	0.00
Tariff Filling Fees & Publication Expenses to CERC	-	4.81	0.00	7.38
Environmental Protection and Other Cess	-	0.10	0.00	0.10
Less: Non-Tariff Income (NTI)	30.13	-	30.13	0.00
Add: Interest on Temporary Financial Accommodation	26.36	-	23.43	0.00
Add: Legal Charges & Consultancy Fees	-	1.89	0.00	0.00
<b>Total ARR of DVC (Distribution)</b>	<b>6,433.91</b>	<b>4,223.69</b>	<b>5243.57</b>	<b>2502.64</b>



Particular	FY 2023-24			
	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Ratio of Sales in Jharkhand	46.86%	46.86%	48.56%	48.56%
<b>ARR Apportioned to Jharkhand</b>	<b>3,014.63</b>	<b>1,979.02</b>	<b>2546.22</b>	<b>1215.25</b>
Cost of Solar & Non Solar Power and REC Purchased to meet the solar & non solar RPO in the state of Jharkhand	286.25	-	394.80	0.00
Interest on Working Capital	-	78.37	-	4.42
Interest on Security Deposit	-	9.15	0	9.87
Tariff Filing Fees & Publication Expenses in JSERC	-	0.95	0	1.09
Rebate and discount allowed to Consumers	109.56	-	42.14	0
<b>ARR for Jharkhand</b>	<b>3,410.44</b>	<b>2,067.49</b>	<b>2983.16</b>	<b>1230.64</b>
<b>Net ARR for Jharkhand</b>	<b>5,477.93</b>		<b>4213.80</b>	
<b>Sale in Jharkhand (MU)</b>	<b>8763.99</b>		<b>8182.31</b>	
<b>Average Cost of Supply (Rs. / kWh)</b>	<b>6.25</b>		<b>5.15</b>	

Table 42: ARR submitted by Petitioner and approved by the Commission for FY 2024-25 (Rs. Cr.)

Particular	FY 2024-25			
	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	6,635.15	4,256.73	5092.05	2623.45
Power Purchase Cost from Other Sources	315.70	-	282.26	0
Tariff Filing Fees & Publication Expenses to CERC	-	4.86	0	7.38
Environmental Protection and Other Cess	-	0.10		0.10
Less: Non-Tariff Income (NTI)	32.00	-	32.00	0
Add: Interest on Temporary Financial Accommodation	28.00	-	24.89	0
Add: Legal Charges & Consultancy Fees	-	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>6,946.85</b>	<b>4,263.58</b>	<b>5367.20</b>	<b>2630.93</b>
Ratio of Sales in Jharkhand	47.27%	47.27%	49.03%	49.03%
<b>ARR Apportioned to Jharkhand</b>	<b>3,283.89</b>	<b>2,015.47</b>	<b>2631.53</b>	<b>1289.94</b>
Cost of Solar & Non Solar Power and REC Purchased to meet the solar & non solar RPO in the state of Jharkhand	308.86	-	422.36	0
Interest on Working Capital	-	83.39	-	4.62
Interest on Security Deposit	-	9.62	0.00	10.38
Tariff Filing Fees & Publication Expenses in JSERC	-	0.98	0	1.09
Rebate and discount allowed to Consumers	116.37	-	44.04	0
<b>ARR for Jharkhand</b>	<b>3,709.12</b>	<b>2,109.45</b>	<b>3097.92</b>	<b>1306.03</b>
<b>Net ARR for Jharkhand</b>	<b>5818.57</b>		<b>4403.95</b>	
<b>Sale in Jharkhand (MU)</b>	<b>9202.99</b>		<b>8454.00</b>	
<b>Average Cost of Supply (Rs. / kWh)</b>	<b>6.32</b>		<b>5.21</b>	

**Table 43: ARR submitted by Petitioner and approved by the Commission for FY 2025-26 (Rs. Cr.)**

Particular	FY 2025-26			
	Petition		Approved	
	Energy Charge	Fixed Charge	Energy Charge	Fixed Charge
Cost of Own Generation	7,170.94	4,298.72	5221.30	2674.01
Power Purchase Cost from Other Sources	322.70	-	291.12	-
Tariff Filing Fees & Publication Expenses to CERC	-	4.91	0	7.38
Environmental Protection and Other Cess	-	0.10	0	0.10
Less: Non-Tariff Income (NTI)	33.97	-	33.97	0
Add: Interest on Temporary Financial Accommodation	29.72	-	26.42	0
Add: Legal Charges & Consultancy Fees	-	1.89	0	0
<b>Total ARR of DVC (Distribution)</b>	<b>7,489.40</b>	<b>4,305.62</b>	<b>5504.87</b>	<b>2681.49</b>
Ratio of Sales in Jharkhand	47.66%	47.66%	49.50%	49.50%
<b>ARR Apportioned to Jharkhand</b>	<b>3,569.19</b>	<b>2,051.91</b>	<b>2724.96</b>	<b>1327.36</b>
Cost of Solar & Non Solar Power and REC Purchased to meet the solar & non solar RPO in the state of Jharkhand	331.49	-	450.24	0.00
Interest on Working Capital	-	88.66	-	4.79
Interest on Security Deposit	-	10.12	0	10.91
Tariff Filing Fees & Publication Expenses in JSERC	-	1.00	0	1.09
Rebate and discount allowed to Consumers	123.52	-	45.65	0
<b>ARR for Jharkhand</b>	<b>4,024.20</b>	<b>2,151.69</b>	<b>3220.85</b>	<b>1344.16</b>
<b>Net ARR for Jharkhand</b>	<b>6,175.88</b>		<b>4565.01</b>	
<b>Sale in Jharkhand (MU)</b>	<b>9641.98</b>		<b>8734.71</b>	
<b>Average Cost of Supply (Rs. / kWh)</b>	<b>6.41</b>		<b>5.23</b>	

### Revenue from Sale of Power in Jharkhand Area at Existing Tariff

#### Commission's Analysis

5.65 The Commission has reassessed the Revenue from Sale of Power in Jharkhand area at the prevailing applicable Tariff and approves the revenue for Sale of Energy as Rs. 4010.04 Crore in the Jharkhand area for FY 2021-22.

### Summary of ARR and Gap/(Surplus) at Existing Tariff

#### Commission's Analysis

5.66 The Commission has approved the ARR for FY 2021-22 based on the components approved in this Order. The following table summarises the Gap/(Surplus) for FY 2021-22 at existing tariff.



**Table 44: Gap/(Surplus) at existing tariff as approved by the Commission (Rs. Crore)**

Particulars	FY 2021-22	
	Petition	Approved
<b>Annual Revenue Requirement</b>	<b>4975.06</b>	<b>4095.11</b>
Revenue from Sales at Existing Tariff	-	4010.04
<b>Revenue Gap/(Surplus)</b>	<b>-</b>	<b>85.07</b>

5.67 The Commission has approved the treatment of the Gap/(Surplus) at existing tariff in **Section A 6** of this Order.



## A 6 REVENUE GAP AND ITS TREATMENT

### Treatment of Revenue Gap/(Surplus) from FY 2016-17 till FY 2021-22

#### Petitioner's Submission

6.1 The Petitioner has submitted that there has been a substantial amount of Revenue Gap accumulated during the period of FY 2016-17 to FY 2021-22 and the Petitioner has requested the Commission to increase the tariff of DVC for FY 2021-22 based on the resulting Revenue Gap computed as mentioned below.

**Table 45: Cumulative Revenue Gap/(Surplus) submitted by Petitioner till FY 2021-22 (Rs. Crore)**

Particulars	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
ARR	4,705.79	4,751.80	4,705.85	3,901.53	4,087.85	4880.19
Revenue Billed	5,017.09	5,285.19	4,202.83	2,959.03	3,014.06	3627.63
Gap (+)/Surplus (-) Created	(311.30)	(533.39)	503.02	942.50	1,073.79	0.00
% Share of JBVNL firm sale in total firm sale of DVC in Jharkhand	47.04%	45.15%	35.70%	3.65%	3.86%	3.86%
% Share of firm sale to other consumers of DVC in Jharkhand	52.96%	54.85%	64.30%	96.35%	96.14%	96.14%
Gap (+)/Surplus (-) to be passed on	(164.86)	(292.58)	323.43	908.07	1032.32	0.00
Gap (+)/Surplus (-) already passed on by this Hon'ble Commission vide order dated 28.05.2019	(174.33)	0	0	0	0	0
Gap (+)/Surplus (-) difference to be passed on for current year	9.47	(292.58)	323.43	908.07	1032.32	0.00
Principal part of Opening Gap (+)/ Surplus (-) without carrying cost	0	9.47	(283.12)	40.31	948.38	1980.70
<b>Closing Gap (+)/Surplus (-) without carrying cost (principal part)</b>	<b>9.47</b>	<b>(283.12)</b>	<b>40.31</b>	<b>948.38</b>	<b>1980.70</b>	<b>1980.70</b>
Interest Rate (%)	12.80%	12.60%	12.20%	12.55%	11.65%	10.50%
Carrying Cost on current year's Gap (+)/Surplus (-)	0.61	(18.43)	19.73	56.98	60.13	0.00
Carrying Cost on principal part of Opening Gap (+)/Surplus (-)	0	1.19	(34.54)	5.06	110.49	207.97
Total Carrying Cost	0.61	(17.24)	(14.81)	62.04	170.62	207.97
Opening Carrying Cost	0	0.61	(17.24)	(14.81)	62.04	170.62
<b>Cumulative Closing Gap (+)/Surplus (-) with carrying cost</b>	<b>10.07</b>	<b>(299.75)</b>	<b>8.26</b>	<b>995.61</b>	<b>2213.36</b>	<b>2359.29</b>

6.2 The Petitioner vide its letter No. Coml/Tariff/JSERC/1688 dated 28.12.2022 submitted that the Hon'ble CERC has issued the True Up Orders for FY 2014-19 of the T&D system on June 10, 2022 with Corrigendum issued on July 23, 2022 and March 02, 2022 and for generating station i.e. MTPS U#4 on November 30, 2022. In the light of true-up orders issued by the Hon'ble Commission, the input cost for the tariff determination for the FY 2014-15 to FY 2018-19 has changed and the Petitioner is eligible for an additional recovery as mentioned below.

**Table 46: Impact of T&D Tariff issued by CERC (Rs. Crore)**

Particulars	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
AFC considered in the True Up order of Commission based on provisional orders of CERC	517.67	524.79	524.79	370.11	371.82
AFC as per True Up order of CERC dated 23.07.2022 & 02.03.2022	764.08	799.23	831.72	810.36	709.92
Availability Factor	97.52%	98.00%	99.15%	99.30%	99.47%
Differential AFC to be allowed	245.20	274.44	308.95	443.82	341.43
Sales Ratio of Jharkhand	58.43%	58.59%	57.18%	57.71%	55.31%
Differential AFC to be recovered from Jharkhand Consumers	143.27	160.79	176.64	256.13	188.85
<b>Total</b>	<b>925.69</b>				

**Table 47: Impact of CERC Tariff Order for MTPS U#4 (Rs. Crore)**

Particulars	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
AFC considered in the True Up order of the Commission based on provisional orders of CERC	157.82	159.38	162.89	149.29	118.93
AFC as per True Up order of CERC dated 30.11.2022	167.07	173.45	177.77	154.82	131.03
Availability Factor	64.48%	60.76%	96.46%	71.99%	55.67%
Differential AFC to be allowed	7.02	10.05	14.88	4.68	7.92
Sales Ratio of Jharkhand	58.43%	58.58%	57.18%	57.71%	55.31%
Differential AFC to be recovered from Jharkhand Consumers	4.10	5.89	8.51	2.70	4.38
<b>Total</b>	<b>25.59</b>				

6.3 The Petitioner has submitted that due to the above effects and other factors, the cumulative revenue gap has been increased manifold. Considering the revenue gap/surplus approved by the Commission in its true-up order and the impact of CERC's abovementioned orders, the Petitioner has submitted Rs. 6225.79 Crore for the Cumulative Revenue Gap from FY 2012-13 to FY 2022-23. The Petitioner has proposed to adjust the Revenue Gap/(Surplus) from FY 2012-13 onwards in the present Tariff. Accordingly, the Petitioner has requested a tariff hike in the present Petition.

#### **Commission's Analysis**

6.4 The Commission has arrived at the Opening Revenue Gap/(Surplus) for FY 2020-21 based on the approved True up Orders for FY 2016-17 to FY 2019-20. As the True-up Petition for FY 2020-21, is still under the scrutiny process by the Commission. Thus, the Commission has provisionally considered the ARR value of FY 2020-21 as approved by the Commission vide Order dated September 30, 2020.



- 6.5 The Petitioner has brought to the notice of the Commission that CERC has carried out the truing up for FY 2014-19 of T&D system on June 10, 2022 (Corrigendum issued on July 23, 2022) and truing up of generating stations (MTPS U#4) on November 30, 2022 and the Petitioner has requested the Commission to allow the same as an additional recovery. The Commission is of the view that since the true up of FY 2020-21 is still under scrutiny, which will result in the change in gap/(surplus) position from FY 2020-21 onwards. Thus, the Commission in this Order has not considered the impact of true up carried out by CERC as mentioned above and will be considered along with truing up of FY 2020-21. Further, taking into account the provisional gap as tabulated below, the Commission in this order approves an increase of ~6.71% in the tariff.
- 6.6 In accordance with above, the Commission has approved the cumulative gap/(surplus) from FY 2016-17 to FY 2021-22 as summarised below:

**Table 48: Cumulative Revenue Gap/(Surplus) approved by the Commission till FY 2021-22 (Rs. Crore)**

Particulars	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
ARR Approved	4,705.79	4,751.80	4,705.85	3872.59	3517.03	4095.11
Revenue	5,017.09	5,285.19	4,202.83	2959.03	3437.19	4010.04
Gap/(Surplus) Created	(311.30)	(533.39)	503.02	913.56	79.84	85.07
Opening Gap/(Surplus)	-	10.22	(298.69)	7.41	979.23	1177.80
Gap/(Surplus) to be passed on	(164.72)	(291.82)	322.85	913.56	79.84	85.07
Gap/(Surplus) already passed on	(174.33)	-	-	-	-	-
Gap/(Surplus) Difference	9.61	(291.82)	322.85	913.56	79.84	85.07
Interest Rate (%)	12.80%	12.60%	12.20%	12.55%	11.65%	10.55%
Carrying Cost on Opening Gap/(Surplus)	-	1.29	(36.44)	0.93	114.08	124.26
Carrying Cost on Gap/(Surplus) Addition	0.61	(18.38)	19.69	57.33	4.65	4.49
Closing Gap/(Surplus)	10.22	(298.69)	7.41	979.23	1177.80	1391.62



## A 7 SCHEDULE OF CHARGES

### Open Access Charges

7.1 **Wheeling Charges:** As determined by the CERC for DVC's network

7.2 **Cross Subsidy Surcharge:**

- As per Clause 21.5 of the Jharkhand State Electricity Regulatory Commission (Terms and Conditions for Intra-State Open Access) Regulations, 2016:

*“The Cross subsidy surcharge shall be determined by the Commission in accordance with the principles and formula stipulated in the National Tariff Policy and shall be leviable at the rate as determined by the Commission from time to time.”*

- The National Tariff Policy, 2016 has stipulated the following formula for computation of Cross Subsidy Surcharge:

$$S = T - [C / (1 - L/100) + D + R]$$

*Where*

*S is the surcharge*

*T is the tariff payable by the relevant category of consumers, including reflecting the Renewable Purchase Obligation*

*C is the per unit weighted average cost of power purchase by the Licensee, including meeting the Renewable Purchase Obligation*

*D is the aggregate of transmission, distribution and wheeling charge applicable to the relevant voltage level*

*L is the aggregate of transmission, distribution and commercial losses, expressed as a percentage applicable to the relevant voltage level*

*R is the per unit cost of carrying regulatory assets.*

...

*Provided that the surcharge shall not exceed 20% of the tariff applicable to the category of the consumers seeking open access.”*



- The Petitioner has not submitted the Voltage-wise distribution losses. Hence, the Commission has considered the T&D losses of 3.00% as approved for FY 2021-22. The Commission observes that the CSS calculated for FY 2021-22 is based on the formula discussed above is “zero” for DVC. Hence the Commission approves no cross-subsidy surcharge for DVC consumers for FY 2021-22.

### 7.3 **Additional Surcharge:**

- Clause 10.63 of the Tariff Regulations, 2020 states the following about Additional Surcharge:

*“Additional Surcharge shall be determined on ‘case to case’ basis and shall be payable only if the licensee is able to conclusively demonstrate the incidence of any stranded costs.”*

- The Commission has observed that the Petitioner has not claimed any Additional Surcharge for FY 2021-22. Therefore, adopting the mythology in the previous Orders and considering the submission of the Petitioner, the Commission has not approved any Additional Surcharge for FY 2021-22.



## A 8 OTHER TARIFF RELATED ISSUES

### *Petitioner's Submission*

#### **Time of Day (ToD)**

8.1 The Petitioner submitted that the Commission had introduced the Time of Day (TOD) tariff vide its Tariff Order dated September 30, 2022 and the Petitioner has implemented ToD from the m/o of October, 2022 however, the response of consumers towards TOD tariff was bleak. In the instant Petitioner, the Petitioner has proposed two Tariff Rate based on two separate design model:

- i) Considering entire projected sale under TOD structure and
- ii) Considering the entire proposed energy sale under non-TOD structure.

8.2 The Petitioner further submitted that periods in respect of Time of Day (TOD) is proposed to be same as approved by the Commission vide Order dated September 30, 2020 i.e. Peak Period from 06:00 hrs. to 10:00 hrs. & 18:00 hrs. to 22:00 hrs., Normal Period, from 10:00 hrs. to 18:00 hrs. and Off-Peak Period from 22:00 hrs. to 06:00 hrs. Rate of Energy Charges in different TOD time zones have been proposed in line with approved value i.e. Rate during Peak Period is 120% of Normal Period and 85% of Normal Period during Off-Peak period. In absence of adequate energy sale data in Jharkhand under TOD regime, energy sales for Normal, Peak and Off-Peak periods for any particular Consumer Category have been projected in this instant Petition by bifurcating total projected energy sales for the consumer category based on the number of hours of the Normal, Peak and Off-Peak periods. The Petitioner submitted that the actual energy sale break-up for Normal, Peak and Off-Peak periods will be duly submitted before the Commission at the time of truing-up. For Non-TOD, single energy charge rate has been proposed on round the clock basis.

#### **Load Factor Rebate**

8.3 The Petitioner submitted that the Load Factor (LF) rebate is proposed to be applicable above the LF of 65%. For increase in LF above 65% by an amount X%, the LF rebate is proposed to be increased by the same X% on the total energy charges corresponding to energy consumption of the consumer subject to a maximum ceiling rebate of 15%. The above rebate is proposed to be available only on monthly basis and consumers/licensees with arrears shall not be eligible for the above rebate. However, the applicable rebate shall be allowed to consumers with outstanding dues, wherein such dues have been stayed by



the appropriate Courts. The Petitioner further added that the proposal is in line with approved by the Commission for FY 2020-21 vide Tariff Order dated September 30, 2020.

### **Voltage Rebate**

8.4 The Petitioner has proposed Voltage Rebate in line with that approved by the Commission vide its Tariff Order dated September 30, 2022.

### **Penalty for exceeding Demand**

8.5 The Petitioner submitted that Penalty for exceeding Demand is proposed to be applicable in case the Recorded/Actual Demand exceeds 110% of the Contract Demand (CD). In case the Recorded Demand exceeds 110% of Contract Demand, then the Demand Charge up to Contract Demand is proposed to be charged as per the normal Tariff rate while the remaining Recorded Demand over and above Contract Demand is proposed to be charged at 1.5 times the normal Tariff rate. In case Recorded Demand is higher than the Contract Demand by the quantum and for the duration as specified in the JSERC (Electricity Supply Code) Regulations, 2015, as amendment from time to time, the Contract Demand shall be revised as per the procedure specified therein.

### **Repayment for Online Payment and Due Date Payment**

8.6 The Petitioner has proposed the Due Date for making payment of energy bills or other charges as 21 days after issue date of the bill. A rebate of 1.00% is proposed on the billed amount excluding meter rent, taxes, duties, levies and arrears (not being the arrears due to revision of tariff) if the payment of the entire billed amount is made within the due date for payment either through online or any digital mode or through cash. Further, an additional rebate of 1.00% is proposed, if the bill is paid in full within the due date through online web portal or any digital methods. As such, if the entire billed amount is paid within the due date through online web portal or any digital mode, the consumer shall be entitled to 2.00% rebate on the total billed amount excluding meter rent, taxes, duties, levies and arrears (not being the arrears due to revision of tariff). No rebate is proposed to be allowed for payment after due date irrespective of the mode of payment.

### **Delay Payment Surcharge**

8.7 The Petitioner has proposed Delayed Payment Surcharge (DPS) inline with Regulation 10.75 of JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020. The due date for making payment of energy bills or other charges shall



be 21 days after issue date of bill. Current electricity bills to be generated on monthly basis. In case the payment of any bill for charges payable as per the applicable Regulations is delayed beyond a period of 21 days from the date of billing, a Late Payment Surcharge (LPS) shall be levied at Bank Rate as on April 01 of the respective year plus 500 basis points (bp) shall be applicable for the first month and for every month or part thereof delay, the rate of LPS shall increase by 50 bp, subject to a maximum of Bank Rate as on April 01 of the respective year plus 700 bp.

### Defective Meters

8.8 The Petitioner submitted that several grievances have been received in the recent past especially in regard to Maximum Demand during corresponding months/billing cycle of previous year in case of defective/stopped meter. While issuing the Tariff Order of DVC dated May 18, 2018 the Commission has stipulated the procedure to be adopted for provisional average metering in case of defective/stopped meter as under:

*“11.22 In case of existing consumers with previous consumption pattern, the provisional average bill shall be issued on the basis of average of previous twelve months consumption.*

*11.23 In case of meter being out of order from the period before which no pattern of consumption is available, the provisional average bill shall be issued on the basis of sanctioned/ contract load on following load factor applicable to respective categories, as shown below:”*

8.9 Additionally, the Petitioner submitted that from past records it appears that the aforesaid procedure was more acceptable to the consumers than that stipulated in the subsequent orders i.e. the issue of provisional average billing to be issued as per Clause 10.3.1 of the JSERC (Electricity Supply Code) Regulations, 2015 as amended from time to time. Relevant portion of the Clause 10.3.1 of the supply code is reproduced below;

“ .....

*Provided further that in case the meter is defective or burnt or stuck and has stopped recording, the consumer shall be billed on the basis of the average consumption of the last three months immediately preceding the month in which meter was last read (including that month) for the period for which meter was stopped recording subject to maximum period of 3 months.*

.....’



8.10 Accordingly, the Petitioner submitted that the aforesaid methodology of settlement and more particularly averaging of last three months immediately preceding the month in which meter was last read is causing grievances amongst the consumers. The Petitioner therefore requested the Commission to review the issue based on the stipulations in the Supply Code Regulations, 2015 and that considered in the Tariff Order of DVC dated May 18, 2018.

### **Penalty for Over-Drawl in Restricted Mode**

8.11 The Petitioner submitted that with effect from October 2020, the Petitioner has implemented the directive in regard to ‘Reduction in fixed charge’. The Petitioner further submitted that under some compelling situation (system outage, shortage of primary fuel sudden outage of generators etc.), it has to impose restriction on real time drawl of the consumers, instead of total load shedding, in order to maintain balance between demand and supply. During such period of restrictions, the consumers are requested to maintain their respective demand within the restrictions imposed. Any violation by consumers lead to unscheduled interchanges or contingent purchase of power from exchange.

8.12 Accordingly, the Petitioner has requested the Commission to provide for penal charges in form of twice the rate of energy charge in case the Consumers/Licensee over draw in a 15-minute time block. The Petitioner also propose for consideration of restricted supply hours as normal supply hours while computing the average daily supply hours in a month to assess whether it qualifies for recovery of 23 hours a day or not and computation of Load Factor.

### ***Commission’s Analysis***

8.13 The Commission has simplified the tariff and wherever necessary has rationalized the tariff structure in line with the Tariff Policy, 2016 with an intent to gradually move towards cost reflective tariff.

8.14 The Commission is of the view that ToD mechanism is desirable as the same has a considerable impact on Demand Side Management of Load and should be levied after looking into various implications for the same. However, in order to avoid any abrupt change and to allow consumers to adjust to ToD, the Commission has retained ToD as optional for HTS and HT Institutional Consumers.

8.15 The Voltage rebate shall be applicable only for 33kV and 132 kV as per the JSERC (Electricity Supply Code) Regulations, 2015, as amended from time to time. Further, voltage rebate shall be applicable only on energy charges.



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- 8.16 With regard to penalty for exceeding contract demand, the Commission has taken note of the Petitioner submission however, considering the specific provisions in the Supply Code has retained the existing provision of penalty for deviation from Contracted Demand.
- 8.17 The Commission has modified the Rebate on Prompt payment as specified in Clauses 10.76 of the JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020.
- 8.18 The Commission has modified the Online Payment rebate, a rebate of 1.00% shall be allowed on the billed amount for payment within the due date of the entire billed amount made either through online or any digital mode subject to a maximum ceiling rebate of Rs. 250 against the billed amount.
- 8.19 Further, the Commission has modified the due date for making payment of energy bills or other charges as specified in Clauses 10.1.5 of the JSERC (Electricity Supply Code) Regulations, 2015, as amended from time to time.
- 8.20 The Commission has approved Delayed Payment Surcharges as specified in Clauses 10.75 of the JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020.
- 8.21 The Commission has approved the methodology of Billing in the event of Defective/stuck/stopped/burnt meters as specified in Clauses 10.3.1 of the JSERC (Electricity Supply Code) Regulations, 2015.
- 8.22 The Commission has approved the provision of Load Shedding and its methodology to intimate the same to Consumers as specified in Clauses 13.3 of the JSERC (Electricity Supply Code) Regulations, 2015. Accordingly, penal for over drawl during the Restricted mode of supply, the Commission would like highlight the fact that providing 24x7 power to all is mandatory for all the Licenses which need to be fulfilled by the Petitioner and over drawl from the contract demand shall dealt as per the respective provision for Penalty for exceeding Billing/ Contract Demand.
- 8.23 The Commission has approved Terms and Conditions of Supply consistent with JSERC (Electricity Supply Code) Regulations, 2015, as amended from time to time.



## A 9 APPROVED RETAIL TARIFF FOR FY 2021-22

### *Petitioner's Submission*

9.1 The summary of Tariff proposed by the Petitioner is provided below:

**Table 49: Summary of Proposed Tariff submitted for FY 2021-22**

Category	Existing Tariff		Proposed Tariff	
	Fixed Charges	Energy Charges	Fixed Charges	Energy Charges
LT Domestic	Rs. 75.00 /Conn./Month	Rs. 4.25 /kWh	Rs. 75.00 /Conn./Month	Rs. 4.25 /kWh
LT Commercial	Rs. 150.00 /kW/Month	Rs. 4.20 /kWh	Rs. 158.00 /kW/Month	Rs. 4.41 /kWh
HT 11 kV	Rs. 350.00 /kVA/Month	Rs. 3.75 /kVAh	Rs. 1000.08 /kVA/Month	Rs. 3.84 /kVAh
HT 33 kV	Rs. 350.00 /kVA/Month	Rs. 3.75 /kVAh	Rs. 1000.08 /kVA/Month	Rs. 3.84 /kVAh
HT 132 kV	Rs. 350.00 /kVA/Month	Rs. 3.75 /kVAh	Rs. 1000.08 /kVA/Month	Rs. 3.84 /kVAh
HT 220 kV	Rs. 350.00 /kVA/Month	Rs. 3.75 /kVAh	Rs. 1000.08 /kVA/Month	Rs. 3.84 /kVAh
Licensees 33 kV	Rs. 350.00 /kVA/Month	Rs. 3.40 /kVAh	Rs. 1000.08 /kVA/Month	Rs. 3.48 /kVAh
Licensees 132 kV	Rs. 350.00 /kVA/Month	Rs. 3.40 /kVAh	Rs. 1000.08 /kVA/Month	Rs. 3.48 /kVAh
Traction 132 kV	Rs. 350.00 /kVA/Month	Rs. 3.40 /kVAh	Rs. 1000.08 /kVA/Month	Rs. 3.48 /kVAh

### *Commission's Analysis*

9.2 Based on the above discussions, the summary of Tariff approved by the Commission for FY 2021-22 is as below:

**Table 50: Summary of Approved Tariff for FY 2021-22**

Category	Existing Tariff		Approved Tariff	
	Fixed Charges	Energy Charges	Fixed Charges	Energy Charges
LT Domestic	Rs. 75.00 /Conn./Month	Rs. 4.25 /kWh	Rs. 75.00 /Conn./Month	Rs. 4.25 /kWh
LT IAS	Rs. 30.00 /HP/Month	Rs. 3.00 /kWh	Rs. 30.00 /HP/Month	Rs. 3.00 /kWh
LT Commercial	Rs. 150.00 /kW/Month	Rs. 4.20 /kWh	Rs. 150.00 /kW/Month	Rs. 4.20 /kWh
LTIS	Rs. 150.00 /kVA/Month	Rs. 4.20 /kVAh	Rs. 150.00 /kVA/Month	Rs. 4.20 /kVAh
Streetlight	Rs. 100.00 /kW/Month	Rs. 4.40 /kWh	Rs. 100.00 /kW/Month	Rs. 4.40 /kWh
HT Domestic	Rs. 100.00 /kVA/Month	Rs. 3.80 /kVAh	Rs. 100.00 /kVA/Month	Rs. 3.80 /kVAh
HT Services	Rs. 350.00 /kVA/Month	Rs. 3.75 /kVAh	Rs. 400.00 /kVA/Month	Rs. 3.95 /kVAh
HT Institutional Services	Rs. 350.00 /kVA/Month	Rs. 3.40 /kVAh	Rs. 400.00 /kVA/Month	Rs. 3.60 /kVAh



## **A 10 TARIFF SCHEDULE FOR FY 2021-22**

**APPLICABLE FROM 01.02.2023**

### **Consumer Tariff**

#### **Ceiling Tariff**

The Tariffs approved below are Ceiling Tariffs and the Licensee is at liberty to Supply at lower and more competitive rates based on the requirement of the Consumers. However, this reduced recovery shall be attributable to the Licensee and shall not be recoverable in the ARR.

### **Domestic Service- Rural and Urban**

#### **Applicability:**

This schedule shall apply to private residential premises for domestic use for household electric appliances such as Radios, Fans, Televisions, Desert Coolers, Air Conditioner, etc. and including motor pumps for lifting water for domestic purposes and other household electrical appliances not covered under any other schedule.

This rate is also applicable for supply to religious institutions such as Temples, Gurudwaras, Mosques, Church and Burial/ Crematorium grounds, Rural Drinking Water Schemes and other recognised charitable institutions, where no rental/fees are charged for the energy needs and for its products and services.

This rate is also applicable for all consumers with contracted demand of upto 5 kW mixed, commercial, industrial, educational institutions, drinking water schemes or for any other purpose, except streetlight connections and agriculture/allied connections.

#### **Category of Services:**

Domestic Service-Rural: areas not covered by Nagar Nigam, Nagar Parishad and Nagar Panchayat.

Domestic Service -Urban: areas covered by Nagar Nigam, Nagar Parishad and Nagar Panchayat.

#### **Service Character:**

- (i) For Rural: AC, 50 Cycles, Single Phase at 230 Volts, Three Phase at 400 Volts.
- (ii) For Urban: AC, 50 Cycles, Single Phase at 230 Volts, Three Phase at 400 Volts.



**Tariff:**

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kWh)
Rural/Urban	Rs./Conn./month	75	4.25

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



## Domestic Service- HT

### Applicability:

This schedule shall apply to private residential premises for domestic use for household electric appliances such as Radios, Fans, Televisions, Desert Coolers, Air Conditioner, etc. and including motor pumps for lifting water for domestic purposes and other household electrical appliances not covered under any other schedule.

### Category of Services:

Domestic Service - HT: This Schedule shall apply for domestic connection in Housing Colonies/ Housing Complex/Houses of multi storied buildings purely for residential use for single point metered supply, with power supply at 6.6 kV, 33 kV or 11 kV voltage level. DS-HT consumers, who supply power to individual households, the average per unit charges billed to an individual consumer shall not exceed 105% of average per unit cost paid to the Petitioner. This additional 5% allowed reflects the internal distribution losses in housing complex and administrative and distribution costs.

### Service Character:

For HT: AC, 50 Cycles, at 6.6 kV, 11 kV or 33 kV

### Tariff:

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kVAh)
DS-HT	Rs./kVA/month	100	3.80

**Billing Demand:** The Billing Demand shall be the Maximum Demand recorded during the month or 75% of Contract Demand whichever is higher. The penalty on exceeding Billing Demand will be applicable in accordance with **Clause I: Penalty for exceeding Billing/ Contract Demand** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



## Irrigation & Agriculture Service (IAS)

### Applicability:

This schedule shall apply to all consumers for use of electrical energy for Agriculture purposes including tube wells and processing of the agricultural produce, confined to Chaff-Cutter, Thresher, Cane crusher and Rice-Hauler, when operated by the agriculturist in the field or farm and does not include Rice mills, Flour mills, Oil mills, Dal mills.

### Service Character:

AC 50 Cycles, Single Phase at 230 volts /Three Phase at 400 volts

### Tariff:

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kWh)
IAS	Rs./HP/month	30	3.00

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



## Commercial Services

### Applicability:

This schedule shall apply to all consumers, using electrical energy for light, fan and power loads for non-domestic purposes like shops, hospitals (govt. or private), nursing homes, clinics, dispensaries, restaurants, hotels, clubs, guest houses, marriage houses, public halls, show rooms, workshops, central air-conditioning units, offices (govt. or private), commercial establishments, cinemas, X-ray plants, schools and colleges (govt. or private), boarding/ lodging houses, libraries (govt. or private), research institutes (govt. or private), railway stations, fuel - oil stations, service stations (including vehicle service stations), All India Radio / T.V. installations, printing presses, commercial trusts / societies, Museums, poultry farms, banks, theatres, common facilities in multi-storied commercial office/buildings, Dharmshalas, public Electric Vehicles Charging stations and such other installations not covered under any other tariff schedule whose Contracted Demand is greater than 5 kW and less than or equal to 100 kVA (or equivalent in terms of HP or kW). The equivalent HP for 100 kVA shall be 114 HP and the equivalent kW for 100 kVA shall be 85 kW.

This schedule shall also be applicable to electricity supply availed through separate (independent) connections for the purpose of advertisements, hoardings and other conspicuous consumption such as external flood light, displays, neon signs at public places (roads, railway stations, airports etc.), departmental stores, commercial establishments, malls, multiplexes, theatres, clubs, hotels and other such entertainment/ leisure establishments whose Connected Load/Contracted Demand is greater than 5kW and less than or equal to 100 kVA (or equivalent in terms of HP or kW). The equivalent HP for 100 kVA shall be 114 HP and the equivalent kW for 100 kVA shall be 85 kW.

### Service Category:

Commercial Service-Rural: Areas not covered by area indicated for Commercial Service Urban.

Commercial Service-Urban: Areas covered by Nagar Nigam, Nagar Parishad, Nagar Panchayat.

### Service Character:

Rural: AC 50 Cycles, Single phase at 230 Volts or Three Phase at 400 Volts.

Urban: AC 50 Cycles, Single phase at 230 Volts or Three Phase at 400 Volts.

### Tariff:

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kWh)
Rural/Urban	Rs./kW/month	150	4.20



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**Billing Demand:** The Billing Demand shall be the Maximum Demand recorded during the month or 50% of Contract Demand whichever is higher. The penalty on exceeding Contract Demand will be applicable in accordance with **Clause I: Penalty for exceeding Billing/ Contract Demand** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order. In case Recorded Demand is more than 100 kVA/85 kW for any month for more than three instances within a Financial Year, the average of the Maximum Demand recorded during such instances shall be treated as the new Contract Demand for the purpose of billing of future months and the consumer will have to get into a new Agreement under the HTS category.

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Installation of Shunt Capacitors:** In accordance with **Clause VI: Installation of Shunt Capacitors** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



## Low Tension Industrial Services

### Applicability:

**Low Tension Industrial Service (LTIS):** This schedule shall apply to all industrial units having a Contracted Load more than 5 kW and less than or equal to 100 kVA (or equivalent in terms of HP or kW). The equivalent HP for 100 kVA shall be 114 HP and the equivalent kW for 100 kVA shall be 85 kW.

### Service Character:

**Low Tension Industrial Service (LTIS):** AC, 50 Cycles, Single Phase supply at 230 Volts or Three Phase Supply at 400 Volts.

### Tariff:

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kVAh)
LTIS	Rs./kVA/month	150	4.20

**Billing Demand:** The Billing Demand shall be the Maximum Demand recorded during the month or 50% of Contract Demand whichever is higher. The penalty on exceeding Contract Demand will be applicable in accordance with **Clause I: Penalty for exceeding Billing/ Contract Demand** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order. In case Recorded Demand is more than 100 kVA/85 kW for any month for more than three instances within a Financial Year, the average of the Maximum Demand recorded during such instances shall be treated as the new Contract Demand for the purpose of billing of future months and the consumer will have to get into a new Agreement under the HTS category.

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Installation of Shunt Capacitors:** In accordance with **Clause VI: Installation of Shunt Capacitors** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



## HT Services

### Applicability:

**High Tension Service (HTS):** All the consumers drawing power at voltage level at 6.6 kV and above except Domestic-HT consumers and HT- Institutional Consumers.

### Service Character:

**High Tension Service (HTS):** 50 Cycles, Three Phase at 6.6 kV/11 kV/33 kV/132 kV/220 kV/400 kV

### Tariff:

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kVAh)
HTS	Rs./kVA/month	400	3.95

**Billing Demand:** The Billing Demand shall be the Maximum Demand recorded during the month or 75% of Contract Demand, whichever is higher. The penalty on exceeding Contract Demand will be applicable in accordance with **Clause I: Penalty for exceeding Billing/ Contract Demand** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Load Factor Rebate:** In accordance with **Clause V: Load Factor Rebate** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Voltage Rebate:** In accordance with **Clause IV: Voltage Rebate** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**TOD Tariff:** In accordance with **Clause VII: ToD Tariff** as provided in section on Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



## Street Light

This tariff schedule shall apply for use of Street Lighting system

### Applicability:

**Street Light Service (SS):** This tariff schedule shall apply for use of Street Lighting system, including single system in corporation, municipality, Notified Area Committee, panchayats etc., and also in areas not covered by municipalities and Notified Area Committee provided the number of lamps served from a point of supply is not less than 5.

### Service Character:

**Street Light Service (SS):** AC, 50 cycles, Single phase at 230 Volts or Three phase at 400 Volts

### Tariff:

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kWh)
Streetlight	Rs./kW/month	100	4.40

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



## HT Institutional Services

This tariff schedule shall apply for use of Railway Traction, Military Engineering Services and Other Distribution Licensees.

### Applicability:

**Railway Traction (RTS) and Military Engineering Services (MES):** This tariff schedule shall apply for use of railway traction and Military Engineering Services (MES) for a mixed load in defence cantonment and related area.

**Other Distribution Licensees:** This tariff schedule shall apply to other distribution licensees procuring power from the Licensee for the sole purpose of supplying it to its consumers. It is clarified that such tariff shall not be applicable for the quantum of power utilised in industrial units owned by it or its parent or affiliate company.

### Service Character:

**Railway Traction Service (RTS):** AC, 50 cycles, Single phase at 25 kV/ 132 kV.

**Military Engineering Services (MES):** AC, 50 cycles, three phase at 6.6 kV and above

**Other Distribution Licensees:** AC, 50 cycles, three phase at 6.6 kV and above

### Tariff:

Category	Fixed Charges		Energy Charges
	Unit	Rate	(Rs./kVAh)
HT- Institutional Services	Rs./kVA/month	400	3.60

**Billing Demand:** The Billing Demand shall be the Maximum Demand recorded during the month or 75% of Contract Demand, whichever is higher. The penalty on exceeding Contract Demand will be applicable in accordance with **Clause I: Penalty for exceeding Billing/ Contract Demand** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Load Factor Rebate:** In accordance with **Clause V: Load Factor Rebate** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Voltage Rebate:** In accordance with **Clause IV: Voltage Rebate** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**Delayed Payment Surcharge:** In accordance with **Clause III: Delayed Payment Surcharge** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.



**Prompt Payment Rebate and Rebate for Online Payment:** In accordance with **Clause VIII: Prompt Payment Rebate and Rebate for Online Payment** of Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**TOD Tariff:** In accordance with **Clause VII: ToD Tariff** as provided in section on Terms & Conditions of Supply as provided in **Section A 11** of this Tariff Order.

**RPO Compliance:** RPO Compliance for Sale to Other Licensees, RTS and MES shall be made by the first Licensee which sells the power viz., in case TSL has procured power from DVC, then the onus to comply with RPO will be with DVC only.



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## Temporary Connections

### Applicability:

The Temporary tariff shall be applicable as per the following conditions:

- (a) Temporary tariff shall be equivalent to 1.5 times of the applicable fixed and energy charges for temporary connections falling in each prescribed tariff category with all other terms and conditions of tariff remaining the same.
- (b) Temporary connections may be given with normal meters with security deposit as per JSERC (Electricity Supply Code) Regulations, 2015 and amendment thereof.
- (c) Temporary connections may also be given with prepaid meters with minimum prepaid balance equivalent to 45 days of sale of power which shall be based on the assessment formula as per JSERC (Electricity Supply Code) Regulations, 2015 and amendment thereof.

### Tariff:

Category	Fixed Charges	Energy Charges
	Rate	(Rs.)
All Units	1.5 times of the applicable fixed charges	1.5 times of the applicable energy charges



**Tariff to be paid by the Licensee for Gross/Net Metering of rooftop Solar PV projects**

The Commission had notified the JSERC (Rooftop Solar PV Grid Interaction Systems and Net/Gross Metering) Regulations, 2015, on November 10, 2015 and further notified its 1st amendment as JSERC (Rooftop Solar PV Grid Interaction Systems and Net/Gross Metering) (1st Amendment) Regulations, 2019. The Tariff for sale of surplus power by Gross/Net metering of Rooftop Solar PV for such eligible consumers of the Petitioner shall be issued separately by the Commission and till the time such order is issued, the existing rate shall continue to be valid.



### Schedule of Miscellaneous Charges

Sl. No.	Purpose	Scale of Charges	Payment Realisation
<b>1.</b>	<b>Application Fee</b>		
	LT Connection	Rs.100	Payable with Energy Bill
	HT Connection	Rs. 500	
<b>2.</b>	<b>Revision of Estimate on Consumer Request based on Revision in Original Application</b>		
	LT Connection	Rs. 100	Payable with Energy Bill
	HT Connection	Rs. 500	
<b>3.</b>	<b>Testing of Consumers Installation<sup>1</sup></b>		
	LT Supply	Rs. 100	Payable with Energy Bill
	HT Supply	Rs. 500	
<b>4.</b>	<b>Meter Test when Accuracy disputed by Consumer<sup>2</sup></b>		
	Single Phase/Three Phase	Rs. 100	Payable with Energy Bill
	Trivector/Special Type Meter, HT, EHT Metering Equipment	Rs. 1000	
<b>5.</b>	<b>Removing/Refixing of Meter/Changing of Meter or Meter Equipment/Fixing of Sub Meter on the request of the Consumer/Fixing of Sub Meter Resealing of Meter when seals are found broken</b>		
	Single Phase/Three Phase	Rs. 200	Payable with Energy Bill
	Trivector/Special Type Meter, HT, EHT Metering Equipment	Rs. 1000	
<b>6.</b>	<b>Fuse call-Replacement</b>		
	Consumer Fuse	Rs. 100	Payable with Energy Bill
<b>7.</b>	<b>Disconnection/ Reconnection</b>		
	LT Connection	Rs. 200	Payable in advance along with the Consumer request. In case, the same consumer is reconnected or disconnected within 12 months, 50% will be charged extra.
	HT Connection	Rs. 1500	
<b>8.</b>	<b>Replacement of meter card, if lost or damaged by Consumer</b>	Rs. 100	Payable with Energy Bill
<b>9.</b>	<b>Security Deposit</b>	As per JSERC (Electricity Supply Code) Regulations, 2015 as amended from time to time.	
<b>10.</b>	<b>Replacement of Burnt Meter</b>	Cost of Meter	Payable with Energy Bill
<b>11.</b>	<b>Transformer Rent<sup>3</sup></b>		
	Upto 200 kVA	Rs. 5500/Month	Payable with Energy Bill
	Above 200 kVA	Rs. 7500/Month	Payable with Energy Bill

<sup>1</sup>First test & Inspection free of charge, but should any further test and inspection be necessitated by faults in the installation or by not compliance with the conditions of supply for each extra test or inspection.

<sup>2</sup>If the meter is found defective within the meaning of the Indian Electricity Rules 1956, no charge shall be levied. If it is proved to be correct within the permissible limits laid down in the Rules, the amount will be charged in the next energy bill.

<sup>3</sup>Applicable for 6 month duration from the date of taking the transformer on rent, thereafter monthly escalation of 10% would be applicable.



## A 11 TERMS AND CONDITIONS OF SUPPLY

### Clause I: Penalty for exceeding Billing/ Contract Demand

In case the Recorded/Actual Demand exceeds 110% of the Contract Demand, the consumer shall pay penal charges. The penal charges would be charged as follows: If the Recorded Demand exceeds 110% of Contract Demand, then the Demand Charge up to Contract Demand will be charged as per the normal Tariff rate. The remaining Recorded Demand over and above the Contract Demand will be charged at 1.5 times the normal Tariff rate.

In case Recorded Demand is higher than the Contract Demand by the quantum and for the duration as specified in the JSERC (Electricity Supply Code) Regulations, 2015, as amendment from time to time, the Contract Demand shall be revised as per the procedure specified therein.

### Clause II: Jharkhand Electricity Duty

The charges in this tariff schedule do not include charges on account of State Electricity Duty/Surcharge to the consumers under the State Electricity Duty Act and the rules framed there under as amended from time to time and any other statutory levy which may take effect from time to time.

### Clause III: Delayed Payment Surcharge

The Delayed Payment Surcharge shall be applicable as specified in Clauses 10.75 of the JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020, as amended from time to time. In case, the Licensee defaults in generating and delivering bills on monthly basis, Delayed Payment Surcharge will not be charged for the period of default by Licensee. The consumer should not be deprived of any subsidy/benefit, which could have been otherwise accrued to the consumers, i.e., energy units/amount (in case of unmetered) billed has to be apportioned on average monthly basis for the whole billing duration.

### Clause IV: Voltage Rebate

Voltage rebate\* will be applicable on Energy Charges as per the JSERC (Electricity Supply Code) Regulations, 2015 as amended from time to time at the rate given below:

Consumer Category	Voltage Rebate*
HTS/HT Institutional -33 kV	3.00%
HTS/ HT Institutional -132 kV	5.00%
HTS/ HT Institutional -220 kV	5.50%
HTS/ HT Institutional -400 kV	6.00%



**\* Note:**

- 1) It is clarified that, if a consumer who is eligible to get supply at 11kV as per classification as mentioned in Clause 4.3 of JSERC (Electricity Supply Code) Regulations, 2015 and then the consumer opts for connection at 33kV then consumer shall be eligible for voltage rebate of 3%. Similarly, if a consumer who is eligible to get supply at 33kV as per Clause 4.3 of JSERC (Electricity Supply Code) Regulations, 2015 and opts for connection at 132kV then consumer shall be eligible for voltage rebate of 5%. Further, no voltage rebate shall be applicable above voltage level of 132 kV. It is further clarified that the existing consumers at 11kV and 33kV opts for higher voltage, rebate shall be applicable for such consumers.
- 2) The above rebate will be available only on monthly basis and consumer with arrears shall not be eligible for the above rebate. However, the applicable rebate shall be allowed to consumers with outstanding dues, wherein such dues have been stayed by the appropriate Courts.

**Clause V: Load Factor Rebate**

The Load factor rebate shall be allowed to all the consumers whose load factor exceeds 65%. For any 'X' % increase in the load factor over and above 65%, the rebate shall be allowed at the rate of 'X' % on the total energy charges corresponding to total energy consumption of the consumer subject to a maximum ceiling rebate of 15%.

The above rebate will be available only on monthly basis and consumer with arrears shall not be eligible for the above rebate. However, the applicable rebate shall be allowed to consumers with outstanding dues, wherein such dues have been stayed by the appropriate Courts.

**Clause VI: Installation of Shunt Capacitors**

Connections with inductive load/motors as specified in Clauses 8.2.34 and 8.2.35 of the JSERC (Electricity Supply Code) Regulations, 2015, as amended from time to time, shall be installed with Shunt Capacitors to meet the Power Factor requirements.

For existing consumer, the Petitioner should first serve one month's notice to all such consumers who do not have or have defective shunt capacitors. In case the consumers do not get the capacitor installed/replaced within the notice period, the consumer shall be levied a surcharge at 5% on the total billed amount charge (metered or flat), till they have installed the required capacitors.

**Clause VII: ToD Tariff**

TOD tariff shall be applicable as an option to HTS and HT Institutional Consumers as follows: -

- **Off Peak Hours: 10:00 PM to 06:00 AM:** 85% of normal rate of energy charge
- **Normal Hours: 10:00 AM to 06:00 PM:** 100% of normal rate of energy charge
- **Peak Hours: 06:00 AM to 10:00 AM and 06:00 PM to 10:00 PM:** 120% of normal rate of energy charge



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**Clause VIII: Prompt Payment Rebate and Rebate for Online Payment**

The due date for making payment of energy bills or other charges shall be as specified in Clauses 10.1.5 of the JSERC (Electricity Supply Code) Regulations, 2015, as amended from time to time.

Prompt Payment Rebate shall be allowed for payment of bills by the Consumers in accordance with Clauses 10.76 of the JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020, as amended from time to time.

Further, a rebate of 1.00% shall be allowed on the billed amount for payment within the due date of the entire billed amount made either through online or any digital mode subject to a maximum ceiling rebate of Rs. 250 against the billed amount.

Further no rebate shall be allowed after due date irrespective of the mode of payment.

**Clause IX: Rebate for Prepaid Metering**

The Commission has introduced rebate to prepaid meters at 3% of the Energy Charges for the respective Consumer Category. For such consumers, the Petitioner shall refund the entire Security Deposit within one month from the date of installation of such prepaid meters.

**Clause X: Rebate for Delayed Billing**

The Commission has introduced rebate in case of delayed billing to consumers to promote prompt billing by the Licensees. In case the bill is not received for two continuous billing cycles, a rebate at the rate of 1.00% on the bill amount per month for delay beyond two months or part thereof shall be applicable subject to a ceiling of 3%. The Utility shall not be eligible to claim such Rebate as a part of ARR. The same shall be treated as a Compensation for the consumers out of the RoE of the Licensee. This clause shall be applicable for all consumers.

**Clause XI: Other Terms and Conditions**

**Reduction in Fixed Charges**

Recovery of Complete Fixed/Demand Charges from consumers shall be based on the availability of hours of supply recorded by meters installed in the consumer's premises. DVC to include the same in the consumer's bill and recover the Fixed Charges only in proportion to the hours of supply as per the meter. The cut off hours for complete recovery from Fixed/Demand Charges shall be 21 hours per day for LT consumers and 23 hours per day for HT Consumers.



Provided that the planned outages/Roistering in the network that are uploaded on its website seven days in advance with a copy to the Commission and intimation to the respective consumers shall be excluded while computing scheduled supply hours.

Provided that any reduction in recovery of Fixed/Demand Charges on account of lower than stipulated hours of supply shall not be claimed as a part of the ARR. Any reduction in the Fixed/Demand Charges shall be considered as a compensation to be paid to the Consumer by the Licensee.

The Commission directs the Petitioner to submit a report on implementation of the above, within 30 days of issue of this Order and implement the same from the subsequent billing cycle following the issuance of this Order.

### **Point of Supply**

The Power supply shall normally be provided at a single point for the entire premises. In certain categories like coal mines power may be supplied at more than one point on request of consumer subject to technical feasibility. But in such cases metering and billing shall be done separately for each point.

### **Dishonoured Cheques**

In terms of Regulation 10.10.5 of the JSERC (Electricity Supply Code) Regulations, 2015 as amended from time to time, in the event of dishonoured cheque for payment against a particular bill, the Licensee shall charge a minimum of Rs. 300 or 0.5% of the billed amount, whichever is higher. In addition to the same, the Delay Payment Surcharge shall be levied extra as per the applicable terms and conditions of Delay Payment Surcharge.

### **Stopped/Defective Meters**

In case of existing consumers with previous consumption pattern, the provisional average bill shall be issued as per Clause 10.3.1 of the JSERC (Electricity Supply Code) Regulations, 2015 as amended from time to time.

In case of meter being out of order from the period before which no pattern of consumption is available, the provisional average bill shall be issued on the basis of Sanctioned/Contract Load on following Load Factor applicable to respective categories:

<b>Consumer Category</b>	<b>Load Factor</b>
Domestic	0.15
Non-Domestic	0.20
LTIS	0.20



Consumer Category	Load Factor
DS-HT	0.15
HT Consumers-Below 132 kV	0.30
HT Consumers- 132 kV & Above	0.50

### Sale of Energy

No consumer shall be allowed to sell the electricity purchased from the Licensee to any other person/entity. In case of DS-HT consumers, who supply power to individual households, the average per unit charges billed to an individual consumer shall not exceed 105% of average per unit cost paid to the Petitioner. This additional 5% allowed reflects the internal distribution losses in housing complex and administrative and distribution costs.

### Release of New Connections

No new connections shall be provided without appropriate meter.

### Conversion Factors

The following shall be the conversion factors, as and where applicable: (PF=0.85):

1 kilo Watt (kW) = 1.176 kilo Volt Ampere (kVA)

1 kilo Watt (kW) = 1/0.746 Horse Power (HP)

1 Horse Power (1 HP) = 0.878 kilo Volt Ampere (kVA)

### Fuel & Power Purchase Cost Adjustment (FPPCA)

Applicable as per JSERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2020 and as amended by the Commission from time to time.



## A 12 STATUS OF EARLIER DIRECTIVES

- 12.1 The Commission has time and again issued various directives in order to improve the functioning of the Petitioner. The Commission notes with concern that the Petitioner has failed to comply with some of the directives of the Commission. The Commission directs the Petitioner to comply with the directives with utmost sincerity failing which penal action may be taken.

Directives	Status	Views of the Commission
<b>Submission of impact analysis and requisite data along with proposal for introduction of ToD Tariff</b>		
The Commission has observed that the Petitioner has not submitted the latest Load Curves for Peak, Off-Peak and Normal time slots proposed. The Commission is of the view that the complete proposal is outdated as major changes have happened in the Sales Mix of the Petitioner. In order to assess the necessity of such mechanism for the Petitioner, the Commission directs the Petitioner to submit the load curves for days with maximum peak demand and minimum peak demand for each month of FY 2019-20 and April 2020 to September 2020 along with its technical preparedness for implementation of ToD Tariffs while submitting the Business Plan and MYT Petition for FY 2021-22 to FY 2025-26.	The Petitioner has submitted the load curves for days with maximum peak demand and minimum peak demand for each month from April 2019 to March 2020 and from April 2020 to September 2020.	The Commission has taken note of reply submitted by Petitioner.
<b>Compliance of RPO</b>		
The Commission directed the Petitioner to comply to RPO targets by purchasing the pending RECs in FY 2020-21 and the Commission directs the Petitioner to comply with all RPO compliance including Sales to other Licensees till FY 2020-21.	The Petitioner has submitted the details regarding RPO compliance in the MYT Petition and also quantified the compliance of previous year's shortfall and current year compliance of RPO.	The Commission has taken note of reply submitted by Petitioner.
<b>Short Term Power Purchases</b>		
The Commission disagrees with the justification provided for no planning of short-term purchase. The Commission directs the Petitioner to	The Petitioner submitted that presently it has been purchasing power from energy exchange based on hourly demand dynamics in a day	The Commission has taken note of reply submitted by Petitioner and also directs the



Directives	Status	Views of the Commission
submit the rolling quarterly forecast of the quantum of short-term power to be purchased as per Clause 5.20 of the Tariff Regulations, 2015.	under extreme exigency. Such contingency situation occurred rarely in FY 2020-21. During the period from April 2020 to November 2020 DVC purchased only around 13 MU from exchange. During December 2020 DVC has estimated to purchase up to 3 MU from exchange. However, from January 2021 to March 2021 it is expected that generation from thermal units will be sufficient to avoid any short term purchase. However, if any contingency situation arises, DVC will duly intimate the Commission.	Petitioner submit the quarterly forecast of short term power purchase to the Commission.
<b>Details of Voltage-wise Cost of Supply and Voltage-wise Losses</b>		
The Commission strictly directed the Petitioner to submit the details of voltage-wise cost of supply and voltage-wise losses along with the Business plan and MYT petition.	The Petitioner submitted that necessary metering arrangement for data acquisition in respect of voltage wise power transaction and loss assessment is under progress. However, due to COVID-19 and consequent lock down the progress became slow. The Petitioner is putting its best efforts to complete the work at the earliest and submitted that on completion of work related to installation of necessary data acquisition system, the Petitioner will submit the same to the Commission.	The Commission has taken note of reply submitted by Petitioner and directs the Petitioner to submit the requisite details along with next Tariff Petition.
<b>Details of Rebate</b>		
15.5 The Commission directs the Petitioner to maintain the Rebate provided under each head as detailed in the Tariff Schedule in Section A 13 of this Order in its Audited Accounts. Any rebate provided over and above the values specified in Section A 13 shall be attributable to the Petitioner and shall not be recovered in the ARR.	The Petitioner submitted that under Indian Accounting Standards (Ind AS), revenue is measured at the fair value of the consideration received /receivable, considering any trade discounts and volume rebate. Accordingly, the requirements of Ind AS mandatorily require an entity to analyse and recognize discounts and sales scheme while accounting for revenue.  The prompt payment rebate is allowed on revenue if the consumer paid	The Commission has taken note of reply submitted by Petitioner and directs the Petitioner to provide the requisite details along with next Tariff Petition.



Directives	Status	Views of the Commission
	<p>within the stipulated period as per rules and Rebate for on line payment is allowed if the payment is made online. These two types of rebates accounted in the accounts as a separate expenditure and revenue is being considered on gross basis. Hence the amount of prompt payment rebate and rebate for on line payment will be available from the audited accounts.</p> <p>In regard to other rebates like Rebate on supply voltage, Reduction in fixed/ demand charges due to lesser supply hours and Load factor rebate are concerned, no separate accounting is made in the books, since the revenue is recognized on net basis after allowing rebate on supply voltage and Load factor rebate. The amount of rebate provided in these scores may be submitted separately by DVC. Currently, there is no prepaid meter and billing is being done without any delay.</p>	



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## **A 13 NEW DIRECTIVES**

### **Separation of Balance Sheet of Distribution Business**

- 13.1 The Commission directs the Petitioner to separate the Balance Sheet of Distribution Business from other power business and direct the Petitioner to submit the same along with next tariff petition.

### **Compliance to RPO**

- 13.2 The Commission directs the Petitioner to ensure that all the short fall in RPO targets should be met or the road map should be submitted before the Commission along with next tariff petition.

### **Details of Rebate provided to Consumers**

- 13.3 The Commission directs the Petitioner to maintain the Rebate provided under each head as detailed in the Tariff Schedule in **Section A 11** of this Order in its Audited Accounts. Any rebate provided over and above the values specified in **Section A 11** shall be attributable to the Petitioner and shall not be recovered in the ARR.

### **Publicising Tariff Approved by the Commission**

- 13.4 The Commission directs the Petitioner to submit a draft Notice to the Commission on the Tariff Approved by the Commission along with the Terms and Conditions of Supply for approval and publishing in the newspapers within a week of issue of this Order for enhancing consumer awareness of the applicable Rate Schedule and salient features of the Order impacting general consumers in the Licensee area.

In addition to above new directives, the Petitioner is directed to comply with the earlier directives issued by the Commission which are still pending.



This Order is signed and issued by the Jharkhand State Electricity Regulatory Commission on January 30, 2023.

It is made clear that the Order regarding revision of tariff shall come into effect from February 01, 2023 and shall remain in force till the next order of the Commission to this regard.

**Date: 30.01.2023**

**Place: Ranchi**

**Sd/-**  
**(Atul Kumar)**  
**MEMBER (Technical)**

**Sd/-**  
**(Mahendra Prasad)**  
**MEMBER (Legal)**

**Sd/-**  
**(Justice Amitav K Gupta)**  
**CHAIRPERSON**



## ANNEXURES

### Annexure-1: List of participating members of public in the public hearing

Sr. No.	Name	Address/Organization
<b>Date: December 05, 2022</b>		
1.	Rajiv Yadav	Association of DVC HT Consumers of Jharkhand
2.	Promod K Agarwal	Association of DVC HT Consumers of Jharkhand
3.	Suman Mondal	TATA STEEL UISL
4.	P.K. Garg	RADHA GOPAL ISPAT LTD.
5.	R.S. Sharma	DVC
6.	Vikas	DVC
7.	Jitendar	DVC
8.	Sanjay Kumar	DVC
9.	Gunwani Singh Mongia	MONGIA STEEL
10.	B.K. Tiwary	PAVANPUTRA STEEL
11.	M.S. Chakraborty	DVC
12.	Anup Sharma	DVC
13.	Samrat Bhowmik	DVC
14.	Debshankar Ghosh	DVC
15.	Subrata Ghosal	DVC
16.	Chandan Kumar	DVC
17.	Rajeev Kumar Agarwal	JSV ENTERPRISES BARHI
18.	Raja Choudhary	DIVINE STEEL Pvt. Ltd.
19.	Mazhar Khan	MAIHAR ALLOYS (P) Ltd.
20.	Tabarak Khan	HOBAY STEEL BARHI
21.	Satish Kumar	DVC
22.	Vashwar Banerjee	DVC
23.	Sikander Parwan	HAZARBAGH
24.	Sumeet Agarwal	SHRESTH STEEL LLP
25.	Pramod Kumar	HAZARIBAG
26.	Ravi Prakash Tiwari	Dy. Director (HR), DVC
27.	Anita Das	JBVNL
<b>Date: December 07, 2022</b>		
28.	Subrata Ghosal	DVC
29.	Satish Kumar	DVC
30.	Samrat Bhowmik	DVC
31.	Debashankar Ghosh	DVC
32.	Vashwar Bannerjee	DVC
33.	Anup Sharma	DVC
34.	Sanjay Kumar	DVC
35.	Ramesh	BSL BOKARO
36.	Prabir Banerjee	ANJANEY FERRO ALLOY LTD



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<b>Sr. No.</b>	<b>Name</b>	<b>Address/Organization</b>
37.	Lambodar Mahto	BOKARO
38.	Waibav Chowdhury	ANJANEY FERRO ALLOYS LIMITED
39.	A.N Choudhary	TSUISL
40.	Chandan Kumar	DVC
41.	M.S. Chakraborty	DVC
42.	Sanjeeb Sharma	RAMGARH
43.	Pawan Choudhary	RAMGARH
44.	Sanjay Kumar Singh	BOKARO STEEL PLANT
45.	Pramod Agarwal	Association of DVC HT Consumers of Jharkhand