

A2: PROCEDURAL HISTORY

Background

2.1 FY 2007-08 was the first year of operations for JUSCO in the Saraikela-Kharsawan district and the power distribution operations were carried out for a period of 7 months w.e.f. September 2007.

2.2 JUSCO had filed its first ARR & Tariff petition for FY 2007-08 in June 2007.

2.3 In its order dated October 16, 2007 on the ARR & Tariff petition for FY 2007-08, the Commission stated:

“Since two distribution licensees JUSCO and JSEB are operating in the same area (i.e. Saraikela-Kharsawan), for immediate operation of the distribution licensee JUSCO, we approve the maximum ceiling of the retail tariff as approved for the JSEB in terms of the proviso of Section 62(1)(d) of the Electricity Act, 2003. Within the aforesaid maximum ceiling of tariff the licensee JUSCO shall propose its own tariff for approval of the Commission within 15 days from the receipt of the order.

The tariff shall be reviewed after four months, on receipt of required relevant details/information with reference to our regulations and its profit/loss will be taken into count in the next tariff period.”

2.4 Subsequently, as per the order issued by the Commission vide order no. JSERC/Legal/08/2007-08/469 dated November 1 2007; JUSCO was directed to follow the JSEB tariff in toto as its provisional tariff, till further orders. Accordingly, JUSCO has been charging the same tariff as approved by the Commission for JSEB in its license area.

2.5 This Tariff Order addresses the petition filed by JUSCO before the Commission for approval of its ARR for FY 2007-08, 2008-09 and 2009-10, and determination of tariff for FY 2009-10 for the revenue district of Saraikela-Kharsawan.

Information Gaps in the petition

2.6 During the course of exercise for ARR and tariff determination for JUSCO, several deficiencies were observed in the tariff petition submitted by the petitioner. These information gaps were communicated to the petitioner vide letter no. JSERC/06/2009/73 dated May 26, 2009.

2.7 The petitioner submitted the additional information/data on July 16, 2009 vide PBD/PSD/10/242/09 in response to the aforementioned deficiencies and additional data requirements.

Inviting Public Response

- 2.8 After scrutinizing the additional information/data furnished by the petitioner, the Commission accepted the petition and directed the petitioner to make available copies of the ARR and tariff petition to the general public and to issue public notice for inviting comments/suggestions from public. The public notice was subsequently issued by the petitioner in various newspapers, as detailed hereunder:

Table 1 List of newspapers and dates on which the public notice appeared

Newspaper	Date
Telegraph (English)	30.8.09 & 31.08.09
Hindustan Times (English)	30.8.09 & 31.08.09
Prabhat Khabar (Hindi)	30.8.09 & 31.08.09
Hindustan (Hindi)	30.8.09 & 31.08.09

- 2.9 A period of thirty (30) days was provided for submitting the comments/suggestions. The Commission subsequently issued advertisement on its website www.jserc.org and various newspapers for conducting the public hearing on the ARR and Tariff filing of JUSCO for FY 2009-10. The newspapers where the advertisement for public hearing was issued by the Commission are detailed hereunder:

Table 2 List of newspapers and dates on which the public notice appeared

Newspaper	Date
Prabhat Khabar (Jamshedpur edition)	30.10.09
Hindustan (Jamshedpur edition)	30.10.09
Uditvani (Jamshedpur edition)	30.10.09
Dainik Jagran (Jamshedpur edition)	30.10.09
Ranchi Express	30.10.09
Hindustan Times	30.10.09
The Pioneer	30.10.09
Farooqui Tanzeem (Urdu Daily)	30.10.09

Submission of objections and conduct of public hearing

- 2.1 The public hearing was held on 8th November, 2009 at Adityapur and many respondents gave their comments and suggestions on the ARR filings filed by the petitioner. The comments/suggestion of the public as well as the petitioner's response to them is detailed in the section dealing with the public consultation process.