

A2: PROCEDURAL HISTORY

Background

- 2.1 The Petitioner has filed the following petitions for Unit I and Unit II of Tenughat Thermal Power Station:
- (a) ARR and tariff petition for FY 2008-09 on June 25, 2009
 - (b) ARR and tariff petition for FY 2009-10 on June 25, 2009
- 2.2 In accordance with Section 64(3) of the Electricity Act 2003, the State Electricity Regulatory Commission, within one hundred and twenty days from receipt of the application under section 64(1), is required to either accept it and issue a tariff order or reject the application for reasons to be recorded in writing if the application is not in accordance with the provisions of the Electricity Act, 2003.
- 2.3 The petitions for FY 2008-09 and FY 2009-10 were not submitted within the time limits specified in the regulations and hence the process of determination of the tariff got delayed.

Information Gaps in the petition

- 2.4 As part of the exercise of tariff determination for FY 2007-08, 2008-09 and FY 2009-10, several deficiencies were observed in the tariff petition received from the petitioner. These information gaps were communicated to the petitioner in a note sent to the Petitioner vide JSERC/09/2009/208 dated August 19, 2009.
- 2.5 The petitioner subsequently submitted its response and provided the requisite data vide letter dated 30 November, 2009.

Inviting Public Response

- 2.6 After acceptance of the petitions, the Commission directed the petitioner to make available the copies of the ARR and tariff petition to the general public, and issue a public notice inviting comments/ suggestions thereon. Accordingly, the public notice was published in the following newspapers.

Table 1- Names of newspapers and dates on which the public notice appeared therein

| Newspaper | Date |
|----------------------------|---------------------|
| Hindustan Times (English) | 16.01.10 & 17.01.10 |
| Telegraph (English) | 16.01.10 & 17.01.10 |
| Prabhat Khabar (Hindi) | 16.01.10 & 17.01.10 |
| Hindustan (Hindi) | 16.01.10 & 17.01.10 |

- 2.7 A period of thirty days was mentioned in the publication for submitting the comments/suggestions from the public.
- 2.8 The Commission subsequently issued advertisement on the website www.jserc.org and various newspapers for conducting public hearing on the ARR and Tariff filing of the petitioner for FY 2008-09 and FY 2009-10. The details of the newspapers wherein the advertisements were issued by the Commission are detailed hereunder:

Table 2- Names of newspapers and dates on which the public notice appeared therein

| Newspaper | Date |
|------------------------------|----------|
| Prabhat Khabar (Hindi) | 17.02.10 |
| Hindustan (Hindi) | 17.02.10 |
| Aaj (Hindi) | 17.02.10 |
| Dainik Jagran (Hindi) | 17.02.10 |
| Ranchi Express (Hindi) | 17.02.10 |
| Hindustan Times (English) | 17.02.10 |
| The Pioneer (English) | 17.02.10 |
| Quami Tanzeem (Urdu edition) | 17.02.10 |

Submission of comments/suggestions and conduct of public hearing

- 2.9 No comments were received from the public in writing within the time frame on the ARR filings filed by the Petitioner.
- 2.10 The public hearing was held on 21.02.2010 in the office premises of the Commission
- 2.11 The Commission decided to finalize the generation tariff for FY 2008-09 and FY 2009-10 as per the petitions of these years and also provisionally true up FY 2007-08 & FY 2008-09 as per the provisional accounts available for these years for the two Units of Tenughat Thermal Power Station.