



BEFORE

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION,
LUCKNOW**

Petition No. 984 of 2014

IN THE MATTER OF:

Application for Approval of Annual Revenue Requirement and Determination of Tariff for the Financial Year 2015-16 and True-up for the Financial Year 2013-14 in terms of Regulation 135 of the Uttar Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2004 read with Section 64(1) of the Electricity Act, 2003 and Section 24(4) of the UP Electricity Reforms Act, 1999 and the provisions of the Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2006.

And

IN THE MATTER OF:

Noida Power Company Limited, Greater Noida

ORDER

As per provisions of Section 64 of the Electricity Act, 2003, it is incumbent upon the Licensees to make an application to the State Regulatory Commission for determination of Tariff in such manner as may be determined by Regulations framed by the Commission.

The UPERC framed the UPERC (Terms and Conditions of Distribution Tariff) Regulations, 2006 (henceforth referred as Distribution Tariff Regulations) on October 6, 2006. As per the provisions stipulated in Regulation 2.1.1, the licensees are required to file before this Commission a Petition for determination of Aggregate Revenue Requirement (ARR) / Tariff for FY 2015-16 complete in all respect on or before November 30, 2014.

Further the Uttar Pradesh Electricity Regulatory Commission (Multi Year Distribution Tariff) Regulations, 2014 have been notified on May 12, 2014. These Regulations shall be applicable for determination of Tariff in all cases covered under these Regulations from April 1, 2015 to March 31, 2020, unless extended by an Order of the Commission. Embarking



upon the MYT framework, the Commission has divided the period of five years (i.e. April 1, 2015 to March 31, 2020) into two periods namely –

- a. Transition period (April 1, 2015 to March 31, 2017)
- b. Control period (April 1, 2017 to March 31, 2020)

The transition period being of two years and the first control period being of three years, the Commission shall continue with the existing Annual Tariff Framework for determination of ARR / Tariff of the Distribution Licensee (i.e. as per Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2006) during the transition period.

M/s Noida Power Company Limited (hereinafter referred to as “NPCL”), had filed a Petition before the Commission on November 28, 2014 for determination of its Annual Revenue Requirement (ARR) and Tariff for FY 2015-16 and True-up for FY 2013-14 under Regulation 135 of UPERC (Conduct of Business) Regulations, 2004, read with Section 64 of the Electricity Act, 2003 and Section 24(4) of the UP Electricity Reforms Act, 1999 and the Provisions of UPERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2006.

Certain deficiencies were observed in the ARR and True up Petition by the Licensee. In this regard, a Deficiency Note was issued by the Commission vide letter dated January 15, 2015, wherein the Licensee was directed to submit its replies within 10 days from the date of issuance of the Deficiency Note.

Subsequently, vide letter submitted on February 9, 2015, NPCL submitted its replies on the deficiencies. The Commission issued a second set of deficiency note through Email dated February 27, 2015 and also directed the Licensees to submit its replies within 7 days. Petitioner submitted its reply vide Email dated March 3, 2015. Most of the critical data as required by the Commission for the acceptance / admission of the Petition has been submitted by the Licensee.

The Commission now finds the information / data submitted by NPCL to be generally in order and accordingly admits the Petition submitted by NPCL for further processing.

The Commission hereby directs NPCL to publish within 3 days from the issue of this Order, the Public Notice detailing the salient information and facts of the ARR / Tariff Petition for FY 2015-16 and True-up for FY 2013-14 along with its website address in at least two daily newspapers (One English and One Hindi) for two successive days inviting views / comments / suggestions / objections / representations within 15 days from the date of publication of the Public Notice(s) by all stakeholders and public at large. The Public Notice should also contain the details of the cumulative revenue gap (regulatory asset) and its treatment, proposed ‘Regulatory Surcharge’, Distribution losses, average power purchase cost, average



cost of supply, average retail tariff realised from each category / sub-category of consumers and the % of tariff increase proposed for each category / sub category of consumers to cover the revenue gap. The Public Notice should inform the stakeholders and public at large to regularly check the website of the Licensee for further submissions made in respect to these proceedings. The Commission further directs the Petitioner to put all details on its internet website, in PDF format, showing detailed computations, the application made to the Commission along with all regulatory filings, information, particulars and documents, clarification and additional information on inadequacies etc. and all subsequent events and material placed on record if any, made before the issuance of final Order. The licensee will also inform the Commission of the same by providing the internet links. The Petitioner may not provide or put up any such information, particulars or documents, which are confidential in nature, with the prior approval of the Commission.

The Public Notice should also inform the public at large that the Staff Papers prepared by the Commission containing salient features of the Petitions are also available on the Commission's website www.uperc.org.

The Commission reserves the right to seek any further information / clarifications as deemed necessary during the processing of this Petition.

(I. B. Pandey)
Member

(Meenakshi Singh)
Member

(Desh Deepak Verma)
Chairman

Place: Lucknow

Date: 23rd March, 2015