

RAJASTHAN ELECTRICITY REGULATORY COMMISSION

Annual Report

2009-10

Chapter – I : General

- 1.1 The Rajasthan Electricity Regulatory Commission (RERC) has been functioning since January, 2000. Shri D.C. Samant continued as the Chairman, RERC (since 27.2.09) with Shri K.L. Vyas(since 1.6.05) and Shri S.K.Mittal (since 5.9.08), as Member (Technical) and Member (Finance), respectively.
- 1.2 Shri Ashwini Bhagat, IAS, joined as Secretary, RERC, on 12th January, 2009 and continued in the year under report.

Chapter – II : Regulations

- 2.1 The Commission framed the following new Regulation, in the year 2009-10, after following the procedure of prior publication:

RERC (Settlement of Disputes by Electricity Ombudsman) Regulations, 2010

- 2.2 Amendments in the existing Regulations

The Commission issued the following amendments in the existing Regulations, in the year 2009-10, after following the procedure of prior publication: -

- a) RERC (Terms & Conditions for Determination of Tariff) (First Amendment)Regulations 2009
- b) RERC (Electricity Supply Code & Connected matters)(Ninth Amendment) Regulations, 2009

Chapter-III : ARR/Tariff orders issued by the Commission

- 3.1 **Determination of ARR for MYT period and Tariff for 2009-10 in respect of Rajasthan Rajya Vidyut Utpadan Nigam Limited (RVUN)**
- 3.1.1 Rajasthan Rajya Vidyut Utpadan Nigam Limited (RVUN) filed a petition on 27.02.2009, for determination of MYT Tariff for control period FY 2009-10 to FY 2013-14 and Tariff for FY 2009-10 in respect of the following stations:

S. No.	Particulars	Capacity (MW)
1	2	3
1.	Kota Thermal Power Station (KTPS)	1045
2.	Suratgarh Thermal Power Station (STPS)	1250
3.	Ramgarh Gas Thermal Power Station (RGTPS)	110.50
4.	Dholpur Combined Cycle Gas Based Thermal Power Plant (DCCPP)	330
5.	Mahi Hydel Power Project (MAHI)	140
6.	Mini Micro Hydel (MMH)	23.85

3.1.2 After hearing the petitioner and stake holders, the Commission vide order dated 31.8.2009 approved the following annual fixed charges for the MYT period and variable charges for FY 2009-10 in respect of following stations except Mini Micro Hydel Stations for which no tariff determination is required as per regulations :

S. No.	Particulars	Annual Fixed Charges for MYT Control Period (` in Crore)					Variable charges for FY 2009-10 (` /kWh)
		2009-10	2010-11	2011-12	2012-13	2013-14	2009-10
1	2	3	4	5	6	7	8
1.	KTPS	314.93	291.25	290.23	288.59	283.04	2.01
2.	STPS	634.21	588.66	534.08	495.10	480.66	2.44
3.	RGTPS	37.14	35.83	34.78	34.19	34.17	1.92
4.	DCCPP	195.29	189.72	183.51	177.34	171.42	2.34
5.	Mahi Hydel	19.05	19.68	20.34	21.04	21.46	-

3.1.3 **Petition in the matter of review of tariff order dated 31.8.09 determining multiyear tariff for RVUN power stations**

3.1.3.1 RVUN filed a petition for review of the Commission's order dated 31.8.2009 by which the multiyear ARR/tariff for the control period of 2009-10 to 2013-14 was determined in respect of KTPS, STPS, RGTPS, DCCPP, Mahi & MMH Power Stations. The petitioner submitted that while passing the above order, the Commission did not allow fresh transitional loans required to be availed to meet the repayment obligation of the existing transitional loans already availed up to 2008-09 and interest liability on such transitional loans during the MYT control period. The petitioner prayed to allow fresh transitional loans along with interest thereon to meet the repayment obligations of existing transitional loans.

3.1.3.2 The Commission appreciated the fact that although RERC (Tariff) Regulations, 2009 do not provide for allowing fresh Transitional loans, RVUN was entitled to interest on balance of transitional loan already allowed by the Commission in past.

3.1.3.3 Accordingly, the Commission allowed extra interest on existing transitional loans allowed earlier to fund the gap between repayment of loan and Advance Against Depreciation (AAD) during the MYT period and revised the fixed cost as under:

(` Lacs)

S. No.	Name of power station	2009-10		2010-11		2011-12		2012-13		2013-14	
		Allowed in MYT order	Revised in the order	Allowed in MYT order	Revised in the order	Allowed in MYT order	Revised in the order	Allowed in MYT order	Revised in the order	Allowed in MYT order	Revised in the order
1	2	3	4	5	6	7	8	9	10	11	12
1.	KTPS	31493	31140	29125	29139	29023	29466	28859	29662	28304	29132
2.	STPS	63421	64407	58866	62534	53408	58775	49510	55560	48066	53669
3.	RGTPS	3714	3767	3583	3699	3478	3619	3419	3563	3417	3500
4.	DCCPP	19529	19335	18972	18845	18351	18341	17734	17865	17142	17337
5.	Total	118157	118649	110546	114218	104260	110201	99522	106651	96929	103638

3.2 **Petition filed by Rajasthan Rajya Vidyut Prasaran Nigam Limited (RVPN) for determination of ARR for MYT period FY 2009-10 to FY 2013-14 and tariff for FY 09-10 and True-up of FY 07-08**

3.2.1 The Rajasthan Rajya Vidyut Prasaran Nigam Limited (RVPN) filed a petition on 26.03.09 before the Commission for determination of Multi Year Aggregate Revenue Requirement (ARR) for control period FY 09-10 to FY 13-14 and Tariff for FY 09-10 for transmission, SLDC and partnership projects and true-up of FY 07-08.

3.2.2 After hearing the petitioner and stake holders, the Commission vide order dt. 1.8.2009 approved the year wise ARR for the control period of MYT period and Tariff for FY 2009-10, as under:

Approved ARR for RVPN MYT Control Period

(` Cr.)

S.No.	Particular	FY 10	FY 11	FY 12	FY 13	FY 14
1	2	3	4	5	6	7
1.	Transmission	1,014.84	1,086.98	1,237.45	1,413.19	1,629.80
2.	SLDC	24.36	29.14	33.64	38.65	44.24
3.	Partnership Projects	79.06	96.68	104.31	112.57	121.44

Approved Transmission Charges and Transmission Tariff for FY 2009-10

S. No.	Particular	FY 2009-10
1	2	3
1.	Transmission Charges (` Cr)	1014.84
2.	Transmission Tariff (` / kW/ month)	115.16

Approved Transmission Tariff for Power Exchange and Short Term Open Access Transactions

S. No.	Particular	FY 2009-10
1	2	3
1.	Transmission Tariff for power exchange (in paisa per kWh)	26
2.	Transmission Tariff for short term open access transactions, (in `/kW/day)	3.786

Approved SLDC Charges and Tariff for FY 2009-10

S. No.	Particular	FY 2009-10
1	2	3
1.	Approved SLDC Charges for FY 2009-10 (` Lakh/month)	203
2.	Approved SLDC Tariff for FY 2009-10 (` /kW/month) for long term (incl. distribution licensees) and short term open access transactions	2.77

3.2.3 The Commission also carried out the truing-up of Aggregate Revenue Requirement of FY 2007-08. As a result of true-up, the Commission allowed a loss of ` 17.98 crores to be considered in transmission tariff for the year 2009-10 and a profit of ` 1.08 crores and ` 10.38 crores to be considered in respect of SLDC and partnership projects expenses respectively for the year 2009-10.

3.3 Investment Plan approval of RVPN for FY 09-10

3.3.1 The Rajasthan Rajya Vidyut Prasaran Nigam Ltd., (RVPN) filed a petition on 30.1.2009 for the approval on Investment Plan of RVPN for the FY 09-10. The Commission vide order dt. 23.4.2009 approved the same.

3.4 Determination of Provisional Tariff for first two units of 135 MW each of Raj WestPower Limited Lignite Thermal Power Station (8x135MW), at Bhadresh, district Barmer (Rajasthan) on Alternate Fuel

- 3.4.1 M/s Raj WestPower Ltd. (RWPL) filed a Petition before the Commission on 17.3.09 for determination of provisional Tariff for first two units of 135 MW each of Raj WestPower Limited Lignite Thermal Power Station (8 X 135 MW), at Bhadresh, district Barmer (Rajasthan) on alternate fuel i.e. imported coal.
- 3.4.2 The Commission vide order dt 13.11.2009 determined the provisional tariff for first two units as under:

S. No.	Particulars	FY 2009-10		FY 2010-11	
		Petitioned	Approved by Commission	Petitioned	Approved by Commission
1	2	3	4	5	6
1	Fixed Charge ` / kWh	2.52	1.7393	2.58	1.7234
2	Energy Charge ` / kWh	2.58	2.1539	2.32	2.1539
3	Total Tariff ` / kWh	5.10	3.8932	4.90	3.8773

3.5 Determination of provisional tariff of Chhabra Thermal Power Station (CTPP) Unit – I (250 MW)

- 3.5.1 Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RVUN) filed a petition on 5.2.2010 before the Commission for determination of provisional tariff of Chhabra Thermal Power Station (CTPP) Unit – I (250 MW).
- 3.5.2 After hearing the petitioner and stake holders the Commission vide order dt. 11.3.2010 allowed the petitioner to charge the tariff to be applicable on COD, as under:

(` / kWh)			
S.No.	CTPP Unit-I Particulars	Petitioned	Allowed on interim basis
1	2	3	4
1.	Fixed charges	1.4567	1.0197
2.	Variable Charges	1.4229	1.4167
3.	Total Tariff	2.8796	2.4364

- 3.5.3 The fixed charges as determined on ad-hoc basis were made applicable from the COD, till the final order on the tariff for these plants is issued by the Commission subject to adjustment when the tariff is finally determined by the Commission.

3.6 Determination of provisional tariff of KTPS unit-VII (195 MW) and STPS unit-VI (250 MW) of Rajasthan Rajya Vidyut Utpadan Nigam Ltd.

- 3.6.1 Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RVUN) filed a petition on 24.9.2009 before the Commission to allow provisional tariff for its new units namely KTPS unit-VII and STPS unit-VI.

- 3.6.2 After hearing the petitioner and stake holders the Commission vide order dt. 16.12.2009 allowed the petitioner to charge the tariff to be applicable on COD, as under:

KTPS unit-VII

(`/kWh)

S.No.	Particulars	Petitioned	Allowed on interim basis
1	2	3	
1.	Fixed charges	1.2665	1.0132
2.	Variable Charges	1.8891	1.8891
3.	Total Tariff	3.1556	2.9023

STPS unit-VI

(`/kWh)

S.No.	Particulars	Petitioned	Allowed on interim basis
1	2	3	4
1.	Fixed charges	1.1882	0.9506
2.	Variable Charges	2.2977	2.2977
3.	Total Tariff	3.4859	3.2483

- 3.6.3 Further, the petitioner was also directed to supplement its petition with duly audited capital expenditure as per requirement of the regulations so that tariff could be determined.

3.7 Wind Power Plants

- 3.7.1 The commission on suo motu basis, after hearing stakeholders, vide order dt. 16.7.2009 determined the generic tariff for wind power plants to be commissioned in the year 2009-10 in accordance with the parameters specified in RERC (Terms and Conditions for Tariff) Regulations, 2009, as under:

S.No.	Particulars	Jaisalmer, Barmer & Jodhpur District	Other Districts
1	2	3	4
1	Levelised Tariff	4.28/kWh	4.50/kWh

3.8 Indexation for tariff of Wind Power Plants for FY 2010-11

- 3.8.1 Regulation 85 of the RERC Tariff Regulations 2009 provide for automatic tariff revision, through Tariff Indexation Mechanism for every financial year, as given therein, for wind energy projects to be commissioned during the Control Period. The tariff of FY 09-10 was linked to the indexation mechanism, specified under Regulation 85 of the RERC Tariff Regulations 2009. Accordingly, the Tariff for the Wind Energy Projects for the year FY 2010-11 was determined vide order dt. 31.3.2010, as under:

S.No.	Particulars	Jaisalmer, Barmer and Jodhpur Districts	Other Districts
1	2	3	4
1	Levelised Tariff	₹ 3.83/kWh	₹ 4.03/kWh

3.9 Tariff for Biomass Power Plants

3.9.1 The commission on suo motu basis, after hearing stakeholders, vide order dt. 17.8.2009 determined the generic tariff for mustard husk biomass power plants to be commissioned in the year 2010-11 considering the parameters specified in RERC (Tariff) Regulations, 2009, in cases where normal escalation of 5% in the fuel prices is opted, as under:

Reference Tariff for 2010-11

S.No.	Year of operation	Water Cooled Fixed charges - ₹2.31/kWh		Air Cooled Fixed charges - ₹2.56/kWh	
		Variable charges ₹/kWh	Total Tariff ₹/ kWh	Variable charges ₹/kWh	Total tariff ₹/ kWh
1	2	3	4	5	6
1.	1 st (2010-11)	1.81	4.12	1.96	4.52
2.	2 nd (2011-12)	1.88	4.19	2.03	4.59
3.	3 rd (2012-13)	1.97 escalating 5% p.a. up to 20 th year	4.29	2.13 escalating 5% p.a. up to 20 th year	4.69
4.	Levelised (₹/kWh)	2.41	4.72	2.61	5.17

3.9.2 In order to incentivize the Biomass power projects which would make special efforts for commissioning their projects in advance of their scheduled commissioning i.e. within 15 months of the financial closure, during remaining part of FY 09-10 i.e. August 2009 to March 2010, the Commission allowed them fixed charge component of tariff applicable to power projects to be commissioned during 2010-11. However, separate fixed charge component was also specified for projects achieving commissioning in a normal way during 2009-10, as under:

Normative Tariff for 2009-10

S. No.	Year of operation	Water Cooled			Air Cooled		
		Fixed charges for normal commissioning - `2.14/kWh Fixed charges for incentivised early commissioning - `2.31/kWh			Fixed charges for normal commissioning - `2.37/kWh Fixed charges for incentivised early commissioning - `2.56/kWh		
		Variable charges ` /kWh	Total tariff ` /kWh		Variable charges ` /kWh	Total tariff ` /kWh	
Normal Commissioning	Incentivised early commissioning		Normal Commissioning	Incentivised early commissioning			
1	2	3	4	5	6	7	8
1.	1 st (2009-10)	1.73	3.87	4.04	1.86	4.23	4.42
2.	2 nd (2010-11)	1.79	3.93	4.10	1.93	4.30	4.49
3.	3 rd (2011-12)	1.88 escalating 5%p.a. upto 20 th year	4.02	4.19	2.03 escalating 5%p.a. upto 20 th year	4.40	4.59
4.	Levelised (` /kWh)	2.30	4.44	4.61	2.48	4.86	5.04

3.10 Indexation of Biomass Tariff

3.10.1 Regulation 85 of the RERC Tariff Regulations 2009 provide for automatic tariff revision, through Tariff Indexation Mechanism for every financial year, as given therein, for biomass power plants to be commissioned during the control period.

3.10.2 The RERC Tariff Regulations 2009 has given option to the developer either to opt for bio-mass fuel price linked to indexation formula outlined therein for subsequent years of control period with `1216/MT bio-mass fuel price as base or normative escalation of 5% per annum.

3.10.3 The generic tariff for sale of electricity from biomass power plants to be commissioned during FY 2011-12 and opting for normative escalation of 5% in fuel price was determined vide order dt. 31.3.2010, as under:

S. No.	Year of operation	Water Cooled Fixed charges - ` 2.06/kWh		Air Cooled Fixed charges - ` 2.29/kWh	
		Variable charges ` /kWh	Total Tariff ` / kWh	Variable charges ` /kWh	Total tariff ` /kWh
1	2	3	4	5	6
1.	1 st (2011-12)	1.90	3.96	2.06	4.35

2.	2 nd (2012-13)	1.97	4.03	2.13	4.42
3.	3 rd (2013-14)	2.07 escalating 5%p.a. upto 20 th year	4.13	2.24 escalating 5%p.a. upto 20 th year	4.53
4.	Levelised (`/kWh)	2.53	4.59	2.74	5.03

3.11 **Determination of Multi Year ARR for the Control Period from FY 2009-10 to FY 2013-14 and Truing-up of Aggregate Revenue Requirement for FY 2007-08 of Jaipur, Ajmer and Jodhpur Vidyut Vitran Nigam Ltd.**

3.11.1 Distribution companies filed petitions for determination of Multi Year Aggregate Revenue Requirement (MYARR) for FY 2009-10 to FY 2013-14. The Commission conducted the preliminary hearing on validation of data on 6.04.2009 and issued the interim order on 15.04.2009 directing Discoms to:

- a) File the revised Petition before 20.05.2009 based on the revised Petitions submitted by RVUN and RVPN;
- b) Submit the data for revising the current norm for consumption of Agriculture Flat Rate Consumers;
- c) Submit the Petition for determination of wheeling charges;
- d) Propose steps to cover the gap between revenue required and revenue generated from existing Tariff.

3.11.2 The public hearing in the matter was held on 21.12.2009 at Jaipur. The comments raised by the respondents were discussed during the hearing and the Commission directed the Discoms to furnish the following details:

- a) Position of distribution losses indicating actual distribution loss for FY 2008-09 and position up to September 2009 based on flat rate consumption as specified by the Commission;
- b) Current status of metering of agriculture flat rate category consumers.
- c) Details of interest on loans and working capital indicating reasons for alarming increase;
- d) Reasons for steep hike in depreciation in FY 2010-11;
- e) Communication sent by the State Government to CAG regarding subsidy;
- f) Letter of the State Government regarding payment of minimum charges;
- g) MOU entered into with the State Government regarding subsidy;
- h) Break-up of "Other charges" submitted in the Petition.

3.11.3 The Discoms furnished the details as sought by the Commission which were under examination of the Commission and the final order was reserved.

3.12 Cross Subsidy Surcharge

3.12.1 In pursuance to Regulation 129 of the RERC(Terms & Conditions of Tariff) Regulations, 2009, the Commission vide order dated 31.3.10 determined cross subsidy surcharge for Open Access consumers in the State for 2010-11 as under:

S.No.	Particulars	Cross Subsidy Surcharge(` /kwh)
1	2	3
1.	Industrial Consumers	
	LIP - EHV	0.18
	LIP -33KV	0.13
	LIP -11KV	0.05
2.	Mixed Load Consumers	
	ML -132KV	0.15
	ML -33KV	0.09
	ML -11KV	0.02
3.	Non Domestic Consumers	
	NDS-132KV	0.49
	NDS-33KV	0.43
	NDS-11KV	0.36

3.13 Wheeling Charges

3.13.1 The Commission determined the Wheeling Charges and the losses for 2010-11 to be the same as were prevailing during the FY 2009-10, as under:

S.No.	Supply Voltage	Wheeling charges (` /kwh)	System losses (%)
1	2	3	4
1	EHV	0.01	0.00
2	33KV	0.11	3.80
3	11KV	0.32	12.60

Chapter-IV : Other Orders

4.1 Open Access

4.1.1 Commission passed an order on dated 9.11.2009, in the petition No. 202/2009 of M/s Hindustan Zinc Limited ". In the matter of Removal of Difficulties under Clause 30 of RERC (Terms & Conditions of Open Access) Regulations, 2004 for removing difficulties regarding reduction of OA capacity and charges". Accordingly, Clause 5 (b) & Clause 6 of Standard formats of agreements, circulated vide the Commission order No. 4 dt. 3.1.2007, were amended by the Commission vide order No. 7 dated 6.1.2010, to be in the line with the provisions of regulation 13 of RERC (Terms & Conditions of open access) Regulations, 2004.

4.2 100% metering of flat rate consumers

4.2.1 Under section 55(1) of the Electricity Act, 2003, all the consumers are required to be supplied electricity through correct meters. For placing the meters in position a period of 2 years was provided in the Act, which may be extended by the respective Commission. The Rajasthan Electricity Regulatory Commission vide notification dated 28.6.08 extended the 2 years period from the appointed date specified U/s 55 (1) of the Electricity Act, 2003 for effecting supply through meters, to all the remaining consumers which are mainly agriculture consumers, upto 9.6.09. The Commission in its 171st meeting held on dt.2.09.09 having reviewed the progress with regard to various measures taken by the Discoms, through Feeder Renovation Programme by way of providing meters in the transformers popularly called as super-transformers and in exercise of the powers conferred U/s 55(1) of the Act, further extended the period for installation of meters in respect of such remaining agriculture consumers with super-transformers upto 31.12.2009 and compliance was to be reported by 31.3.2010.

4.3 Resolution of Disputes

4.3.1 The Commission decided the following petitions in the matter of disputes between generators/consumers and Discoms/RVPN on various matters:

S. No	Petition No.	Petitioner's name	Subject	Date of Order
1	2	3	4	5
1	208/09	Balakrishna Ind. v/s JVVNL	Dispute arising out of adjustment Methodology of CPP.	23.12.2009
2	203/09	RSMML v/s AVVNL	Recovery due to retrospective revision of bills.	7.1.2010
3	202/09	HZL v/s RVPN & SLDC	Removal of difficulties in Open Access.	9.11.2009
4	199/09	M/s Fashion Suitings v/s AVVNL.	Resolution of Disputes under section 86(1)(f)	22.10.2009
5	200/09	Giriraj Plastic v/s AVVNL	Petition u/s 142 of E. A.	28.8.2009

Chapter – V : Various Other Activities

5.1 State Advisory Committee

5.1.1 The Commission, vide its order dated 31.3.09, re-constituted the State Advisory Committee, according to RERC (State Advisory Committee) Regulations, 2009. The term of the committee is two years w.e.f. 1st April 2009.

- 5.1.2 The 9th Meeting of the State Advisory Committee was held on 9th September, 2009.
- 5.2 Standards of Performance of Discoms**
- 5.2.1 Section 59(2) of the Electricity Act, 2003 stipulates that, the Commission is to publish, at least once a year, the level of performance, achieved by the Distribution Companies. The information of Standards of Performance for the year 2008-09 for Jaipur, Ajmer & Jodhpur Discoms, was placed on the website on 25.8.2009.
- 5.2.2 The Commission also initiated revision in the Standards of Performance, already provided by it, in 2003, in line with the standards, laid-down by the Forum of Regulators.
- 5.3 Standard of performance of RVPN**
- 5.3.1 Standard of Performance of RVPN for the year 2008-09, were posted on the website of the Commission on 18.1.2010.
- 5.4 Commission Website**
- 5.4.1 The website of the Commission www.erc.gov.in is hosted & maintained by M/s Rajcomp, Jaipur. The website was updated regularly from time to time. The schedule of hearing was introduced in website to indicate the date of hearings of the Commission. The orders, tariff orders & regulations were also arranged as per date of their issuance.
- 5.5 Tariff for Captive Generation**
- 5.5.1 To replace the Regulation "RERC (Tariff for Captive Power Plants) Regulation, 2007", draft of new Regulation viz RERC (Tariff for sale of power by captive Power plants to Distributions licensees), Regulations 2010, was circulated for public comments/suggestions and the hearing in the matter was held on 22-1-2010. The new regulation was under finalization at the end of the year under report.
- 5.6 Grid Code**
- 5.6.1 Rajasthan Electricity Grid Code (REGC) was notified in May 2008. Thereafter the Central Electricity Regulatory Commission notified amendments in Indian Electricity Grid Code (IEGC) in 2009. This necessitated amendment in REGC as well.
- 5.6.2 Accordingly, amendments in the relevant clauses of REGC were made and draft RERC (REGC) (1st Amendment) Regulation, 2009 was prepared and comments/objections/suggestions were sought from the stake holders/public, in December 2009.

5.6.3 In the meanwhile, CERC proposed new Grid Code, which was under finalization. Accordingly, the draft RERC (REGC) (1ST Amendment) Regulation, 2009, was kept in abeyance, till the finalization of new CERC Grid Code.

5.7 Forms for furnishing ARR and proposals for SLDC fee & charges

5.7.1 In terms of Rajasthan Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2009, the Commission approved formats for furnishing information by State Load Dispatch Centre (SLDC) for determination of ARR and proposals for SLDC fee & charges, in the Commission's 165th meeting held on 22.4.2009. The formats for SLDC were specified vide Commission Order No. 6 dt. 22nd April 2009.

5.8 Sanctioned Posts and Working Strength as on 31-03-2010

5.8.1 The details of sanctioned posts and working strength in the Commission are as under:

S.No.	Name of Post	No. of sanctioned Posts	Working Strength
1	2	3	4
1.	Secretary	1	1
2.	Special Secretary	2	2
3.	Joint Secretary	3	2
4.	Dy. Secretary (15600 -39100 + 7600)	1	1
5.	Dy. Secretary (15600-39100 + 6600)	5	5
6.	TA to Chairman	1	1
7.	Sr. Economic Analyst	1	1
8.	Asstt. Secretary	7	3
9.	PS to Chairman	1	-
10.	Sr. P.A.	2	2
11.	Accountant	1	1
12.	P.A.	3	1
13.	Legal Assistant	1	-
14.	Executive Assistant (Technical)	4	4
15.	Junior Accountant	1	1
16.	Steno cum Computer Operator	6	3
17.	Store Keeper. Cashier, Librarian	2	1
18.	Establishment RD Clerk (LDC)	3	3
19.	Vehicle Driver	2	2
20.	Class – IV	8	6
21.	Total	55	40

5.9 Human Resources Development

5.9.1 The Commission is striving to support Human Resource development, particularly on regulatory matters, which is a new field. The officers of the Commission have been deputed from time to time for attending various training programmes, seminars, conferences etc. within the country and 19 officers participated in various seminars/workshops.

5.10 Budget of the Commission

5.10.1 For the year 2009-2010 a budgetary provision of `732.01 lacs was approved by the Commission against which an expenditure of `548.81 lacs was incurred and `150 crores was transferred in building fund. The Commission received a sum of `770.74 lacs during the year 2009-2010 towards fee and other misc. charges as per the details given below:-

S.No.	Item	Amount (in lacs of `)
1	2	3
1.	Petition Fee	676.17
2.	Interest on Deposits	94.48
3.	Other Income	0.09
4.	Total	770.74

5.10.2 The Commission purchased a building at Sahakar Marg for which the amount accumulated in Building Fund for `573.22 lacs was utilised in full.

5.10.3 The Commission has transferred the following amount out of its revenue during the year 2009-10 into various terminal benefit trusts based on actuarial valuation :-

S. No.	Name of Trust	Amount transferred during the year(`)	Total amount available in trust account as on 31.3.2010(`)
1	2	3	4
1	RERC Pension Fund Trust	45,93,870	2,44,00,433
2	RERC Gratuity Fund Trust	8,29,353	30,85,058

5.11 Utilizing the services of consultant

5.11.1 The Commission decided to utilize the services of consultant to advise the Commission, on matters relating to "Determination of tariff for solar power plants". After following the due process, M/s ABPS Infrastructure Advisory

Pvt. Ltd. was selected for providing consultancy, relating to “Determination of tariff of solar thermal power plants” and M/s Shrishakti Alternative Energy Ltd. for providing consultancy relating to “Determination of tariff of Solar Photovoltaic power plants (SPV)”.

5.12 **Meetings of the Commission**

5.12.1 During the year 2009-10 the Commission held 14 meetings besides many informal meetings in performing its functions.

5.13 **Forum of Indian Regulators**

5.13.1 The Commission is a member of the Forum of Indian Regulators (FOIR) of which the Central Electricity Regulatory Commission and other Electricity Regulatory Commissions are the members. This forum meets periodically, every six months and provides forum to all Regulatory Commissions for exchange of views on Regulatory issues. Chairman and Members of the Commission have been participating in the meetings of the FOIR, as Members,.

5.14 **Forum of Regulators**

5.14.1 The Govt. of India vide notification dated 16.2.05 notified the Forum of Regulators Rules 2005 under Section 166(2) of the Electricity Act. The RERC Chairman is a member of the Forum of Regulators and had been attending the meetings of the Forum of Regulators.

5.15 **Advice to the State Government**

5.15.1 The use of sprinkle/drip system of irrigation was discussed in the 9th meeting of State Advisory Committee, wherein it was resolved that the Discoms may give priority in release of new connections to agriculture consumers using sprinkle/drip system of irrigation and a suitable provision may also be included in the GoR policy.

5.15.2 As per regulation 6(A) of the RERC (Electricity Supply Code & Connected Matters) Regulations, 2004, priority in releasing connection, increase in connected load, shifting of connections, restoration of supply & other matters, relating to agriculture consumers, shall be governed by the policy directive issued by the Government, from time to time, u/s 108 of the Electricity Act, 2003.

5.15.3 Accordingly, the Commission vide letter dt. 10.11.09 advised the State Government to incorporate suitable provision for giving priority for new connections to agriculture consumers using sprinkle/drip system of irrigation, in Agriculture Policy issued by the Government.

Chapter – VI : Consumer Affairs

6.1 Consumer Affairs

6.1.1 Grievance Redressal by the Forums of Licensees

1. The modified Regulation, for Redressal of consumer Grievances by the licensee(s) were issued in March 2008. The follow up action on compliance by licensee(s) on various provisions, was initiated.
2. Nomination of independent member to the corporate level Grievance Redressal Forum of the Discoms was done in compliance to amended Electricity Rules 2006.
3. The representations, received directly from consumers, were dealt with appropriately for redressal.

6.2 Grievance Redressal by Ombudsman

6.2.1 RERC (Settlement of Disputes by Electricity Ombudsman) Regulations, 2010, for appointment of an Independent Ombudsman was notified and sent to Government Press for publication in the official Gazette. The Divisional Commissioners headquartered at Jaipur, Jodhpur & Ajmer were assigned the work of Ombudsman for respective Discoms, till the appointment of independent Ombudsman.

6.2.2 The status of the grievances redressed by the respective Ombudsman during the year 2009-10 is as follows:-

S.No.	OMBUDSMAN	NO. OF CASES, PENDING AT THE END OF PREVIOUS F.Y	NO. OF CASES, RECEIVED DURING THE YEAR 2009-10	NO. OF CASES, SETTLED DURING THE YEAR 2009-10	NO. OF PENDING CASES, AT THE END OF THE YEAR 2009-10
1	2	3	4	5	6
1	AVVNL	4	8	11	1
2	JVVNL	3	17	19	1
3	JdVVNL	1	3	3	1

Chapter – VII : Petitions & Appeals before the Commission

7.1 At the beginning of the year 2009-10, 14 petitions were pending, out of which orders in respect of 7 petitions were issued by the Commission. During the year 2009-10, 30 petitions were received out of which orders in respect of 9 petitions were issued by the Commission. Thus, 28 petitions were pending for decision at the end of the year 2009-10. Status of petitions has been indicated in the following sub-paras.

7.1.1 **List of petitions pending as on 1.4.2009 and their status as on 31.3.2010**

S. No	Date of Petition	Petitioner's name & address	Subject	Petition No.	Status (as on 31.3.2010)
1	2	3	4	5	6
1	22-11-02	Sh. P.N. Mandola Secretary, Committee for Protection of Public Properties, Jaipur	Compliance of section 22 & 39 of IE Act 1910 by JVVNL	RERC/19/02	Hearing suspended due to appeal filed by P.N. Mandola against decision of Commission in Raj. High Court
2	26-1-04	M/s Bhawani Marbles Pvt. Ltd, Piplada Village, Rajsamand	For imposing fines and charges on AVVNL for non compliance of Commission Order	RERC/28/04	Petition not heard because of stay by High Court
3	23-1-08	M/s HZL, Udaipur	Adjudication of dispute between gen. com. & licensee in OA	RERC/158/08	Hearing suspended due to appeal filed in District court, Ajmer
4	30.01.09	Raj. Rajya Vidyut Prasaran Nigam Ltd, Jaipur	Investment Plan FY10	RERC/176/09	Order issued on dt. 23.4.09
5	27.02.09	Jaipur Vidyut Vitran Nigam Ltd, Jaipur	Amendments in Terms & conditions of Supply	RERC/178/09	Order issued on dt. 22.2.10
6	27.02.09	Raj. Rajya Vidyut Utpadan Nigam Ltd, Jaipur	MYT for FY 10 to 14 and ARR for FY10	RERC/179/09	Order issued on dt. 31.8.09
7	03.03.09	Jodhpur VVNL, Jodhpur	MYT for FY 10 to 14 and ARR for FY10	RERC/180/09	Interim order issued. Hearing held. Final order reserved.
8	03.03.09	Jaipur Vidyut Vitran Nigam Ltd, Jaipur	MYT for FY 10 to 14 and ARR for FY10	RERC/181/09	Interim order issued. Hearing held. Final order reserved.
9	04.03.09	Raj. Bio-mass Power Association	Removal of difficulties in RERC (Tariff) regulations, 2009	RERC/182/09	Order issued on dt. 21.4.09
10	13.03.09	Rajwest Power Ltd., Barmer	Review of RERC (Tariff) regulations, 2009	RERC/183/09	Order issued on dt. 1.5.09
11	17.03.09	Rajwest Power Ltd., Barmer	Provisional tariff determination on alternative fuel	RERC/184/09	Order issued on dt. 13.11.09
12	20.03.09	Ajmer Vidyut Vitran Nigam Ltd, Ajmer	MYT for FY 10 to 14 and ARR for FY10	RERC/185/09	Interim order issued. Hearing held. Final order reserved.

S. No	Date of Petition	Petitioner's name & address	Subject	Petition No.	Status (as on 31.3.2010)
13	26.03.09	Raj. Rajya Vidyut Prasaran Nigam Ltd, Jaipur	MYT for FY 10 to 14 and ARR for FY10	RERC/186/09	Order issued on dt. 1.08.09
14	30.03.09	ACME tele. power	Tariff for solar power Plant	RERC/187/09	Remained under consideration due to change from project specific tariff to generic tariff and subsequent migration under Solar Mission.

7.1.2 Petitions received during year 2009-10 and their Status as on 31.3.2010

S. No	Date of Petition	Petitioner's name & address	Subject	Petition No.	Status (as on 31.3.2010)
1	2	3	4	5	6
1.	01.4.09	M/s Videocon Industries, Jodhpur	Tariff for solar power plants	RERC/188/09	Remained under consideration due to change from project specific tariff to generic tariff and subsequent migration under Solar Mission.
2.	01.4.09	M/s Moser Baer photovoltaic Ltd., New Delhi	Tariff for solar power plants	RERC/189/09	- do -
3.	01.4.09	M/s Zoom Developers Pvt. Ltd., Indore	Tariff for solar power plants	RERC/190/09	Petition rejected
4.	02.4.09	M/s. Astonfield Solar (Rajasthan) Pvt. Ltd., Mumbai	Tariff for solar power plants	RERC/191/09	Remained under consideration due to change from project specific tariff to generic tariff and subsequent migration under Solar Mission.
5.	02.4.09	M/s Entegra Limited, New Delhi	Tariff for solar power plants (1 MW)	RERC/192/09	- do -
6.	02.4.09	M/s Entegra Limited, New Delhi	Tariff for solar power plants (10MW)	RERC/193/09	- do -
7.	02.4.09	M/s.OPG Energy Pvt. Ltd. Chennai	Tariff for solar power plants	RERC/194/09	- do -
8.	02.4.09	M/s REFEX Refregirator Ltd., Chennai	Tariff for solar power plants	RERC/195/09	- do -

S. No	Date of Petition	Petitioner's name & address	Subject	Petition No.	Status (as on 31.3.2010)
9.	02.4.09	M/s Swiss Park Vanijya Pvt. Ltd., Kolkata	Tariff for solar power plants	RERC/196/09	- do -
10.	02.4.09	M/s. AES Solar Energy Pvt. Ltd., Gurgaon.	Tariff for solar power plants	RERC/197/09	- do -
11.	02.4.09	M/s Shree Vinayak Engineering Works	Petition U/s 142 & 146 of E. Act.	RERC/198/09	Petition Rejected
12.	08.4.09	M/s Fashion Suitings, Bhilwara	Unauthorized recovery of Bills u/s86(1)(f)of Act	RERC/199/09	Order issued on 22.10.09
13.	21.4.09	M/s Giriraj Plastics	Non Compliance of Commission's Order U/s 142 of Act	RERC/200/09	Order issued on 28.8.09
14.	26.5.09	M/s RVPN	Approval of deviation in case-2 bidding process	RERC/201/09	Order issued on 11.8.09
15.	29.6.09	M/s HZL, Udaipur	Approval of difficulties in open access	RERC/202/09	Order issued on 9.11.09
16.	30.7.09	M/s RSMML, Udaipur	Unauthorized recovery of Bills u/s 86(1) (f) of Act	RERC/203/09	Order issued on 7.1.10
17.	21.8.09	M/s Shri Rangam Brokers & Holdings Ltd., New Delhi	Tariff for solar power plants	RERC/204/09	Remained under consideration due to change from project specific tariff to generic tariff and subsequent migration under Solar Mission.
18.	17.9.09	M/s RVPN	Approval of quantum of Energy to be procured 1000 MW Base load instead of seasonal	RERC/205/09	The Commission directed the petitioner to revise their petition as per projections given in ARR to be filed by them within two months.
19.	30.9.09	M/s RVUN	Review of Tariff Order dt 31.8.09	RERC/206/09	Order issued on 21.1.10
20.	16.10.09	M/s RVUN	Tariff & ARR for MYT FY 10-14 of KTPS(Unit-7), STPS(Unit-6)	RERC/207/09	Information sought by the Commission during hearing on 15.12.2009, 23.2.2010 & 5.3.2010 was awaited from RVUN.

S. No	Date of Petition	Petitioner's name & address	Subject	Petition No.	Status (as on 31.3.2010)
21.	3.11.09	M/s Balkrishna Industries, Bhiwadi	Petition u/s 86 (1) (f) for appointment of arbitrator	RERC/208/09	Order issued on 23.12.09
22.	3.12.09	M/s RVUN	Petition for truing Up of FY-09 and tariff for FY-11	RERC/209/09	Reply on the data gaps pointed out by the Commission was awaited.
23.	15.12.09	M/s Raj WestPower Ltd.	Review of Order dt. 13.11.09	RERC/210/09	Reply was awaited from M/s.Raj WestPower Ltd. on the observations pointed out by the Commission.
24.	13.1.10	M/s sambhav Energy Ltd., Chennai	Determination of tariff for Juli Flora based power plant	RERC/211/10	Additional petitions from Transtech Green Power Ltd. and Satyam Power Ltd. were received on this issue and amendment to existing tariff regulations was under process.
25.	18.1.10	M/s RVUN	Truing up FY-05 to FY-08	RERC/212/10	Reply to data gaps was awaited.
26.	27.1.10	M/s RVPN	ARR for FY-11 & Truing up of FY-09	RERC/213/10	RVPN submitted reply to data deficiencies pointed out by Commission on 23.3.2010 which were under examination.
27.	29.1.10	M/s RVPN	Investment approval FY-11	RERC/214/10	Reply to discrepancies to data gaps were furnished on 16.3.2010 which were under examination.
28.	5.2.10	M/s RVUN	ARR for FY 10-14 & Provisional tariff for FY 10 of Chhabra Thermal Plant(Unit-1)	RERC/215/10	During hearing on 5.3.2010 deficiencies were pointed out and clarifications were sought from the petitioner which were awaited.
29.	23.2.10	M/s RVPN	Revision in date of opening of RFQ of Case-2 purchase of power	RERC/216/10	Hearing was completed on 19.3.2010 and order was reserved.

S. No	Date of Petition	Petitioner's name & address	Subject	Petition No.	Status (as on 31.3.2010)
30.	25.2.10	M/s RVPN	Adoption of tariff discovered by Case-1 bidding & approval of deviation	RERC/217/10	Hearing was completed on 19.3.2010 and accordingly the petitioner submitted a supplementary petition containing the information desired by the Commission on 30.3.2010 which was under consideration.

Chapter – VIII: Cases in Court & Appellate Tribunal for Electricity

8.1 Status of the cases in the Appellate Tribunal for Electricity, New Delhi & the Supreme Court during the year under report

8.1.1 The status of the cases pending/dealt by Supreme Court/Appellate Tribunal, during the year is as follows:

S. No.	Appeal No. of the Tribunal	Applicants & Respondents	Commission Order, Act Reference & Subject of Appeal	Present Status (as on 31.3.2010)
1	2	3	4	5
1	1/2005	Gajendra Haldea V/s CERC, RERC & others	Under Section 121 of the Act sanctity of the Generation/ Distribution Tariff & fixing of trading margins for licensee	Pending in the Supreme Court
2	74/2007 & IA 95/2007	AVVNL V/s RERC & others (in case of M/s RSMML)	Under Section 111 of the Electricity Act, 2003 regarding Mechanism of Banking of Renewable Energy	Decided by the Tribunal but pending in the Supreme Court.
3	99 of 2008	Hindustan Zinc v/s RERC & others	To quash the impugned order dated 3.7.2008, passed by the Commission & to treat it prospectively.	The Appellate Tribunal set aside the impugned order & dismissed the petition no. 166 of 2007, filed before the Commission. The matter is pending in the Supreme Court (Civil Appeal No. 4124 of 2009).
4	I.A. no. 49 of 2010 in Appeal no. 38 of 2010	M/s Fashion Suitings (P) Ltd, Bhilwara	To set aside the impugned order dated 22.10.2009 passed by the Commission.	Pending in the Appellate Tribunal

8.2 Other Court Cases

8.2.1 The other pending Court Cases as on 31.3.2010, where Commission is a party, are as under:

S.No.	Petitioner	Writ Petition/Appeal No.	Subject Reference
1.	Raj Steel Chambers	SBCWP No. 429/2008	Order of the JVVNL regarding Power factor incentive & surcharge
2.	Motors Industries Co. Ltd.	SBCWP No. 661/2009	
3.	Bhagwati Gases Ltd.	SBCWP No. 662/2009	
4.	Rajasthan Textiles Mills	SBCWP No.663/2009	
5.	Hindustan Copper Ltd.	SBCWP No. 664/2009	
6.	Mangalam Cement	SBCWP No.710/2009	
7.	Sunil Health care Ltd.	SBCWP No.711/2009	
8.	Kajaria Ceramics Ltd.	SBCWP No. 712/2009	
9.	Parry ware Roca Pvt. Ltd.	SBCWP No. 713/2009	
10.	Hindustan Fibers Ltd.	SBCWP No.714/2009	
11.	Balaji Industrial Products	SBCWP No. 715/2009	
12.	Gulshan Chemicals Ltd.	SBCWP No. 716/2009	
13.	Shree Balaji Furnaces (p)	SBCWP No.798/2009	
14.	Tarun Alloy	SBCWP No.799/2009	
15.	Shriram Rayons	SBCWP No. 800/2009	
16.	DSR Steel Pvt. Ltd.	SBCWP No. 801/2009	
17.	R K Marbles Pvt. Ltd.	SBCWP No. 802/2009	
18.	State of Rajasthan PHED	SBCWP No. 880/2009	
19.	ACC Ltd.	SBCWP No. 881/2009	
20.	Kamal Sponge Steel & Power Ltd.	SBCWP No. 882/2009	
21.	RSWM Ltd.	SBCWP No. 1056/2009	
22.	Mahesh Chand Sharma	SBCWP NO.9225/2009	Conditions 27(1)(i) of Terms & Conditions of Supply of Electricity-2004
23.	Agrasen Agro Industries	SBCWP No. 11162/2009	Order of the JVVNL regarding Power factor incentive & surcharge
24.	Sanganeria Spinning Mills Ltd.	SBCWP No.11821/2009	
25.	Swastik Suitings Ltd.	SBCWP No.11822/2009	
26.	Synergy steels Ltd.	SBCWP No.11833/2009	
27.	Raghuveer Metal Industries	SBCWP No. 11834/2009	
28.	Ambuja Cement Ltd.	SBCWP No. 12225/2009	
29.	Synergy Steels Limited	SBCWP No. 12226/2009	
30.	Ahlocon Parenterals (India) Ltd.	SBCWP No. 12256/2009	Order of the JVVNL regarding Power factor incentive & surcharge
31.	Grasim Industries Ltd.	SBCWP No. 12257/2009	
32.	Sangam (India) Ltd.	SBCWP No. 12258/2009	
33.	Multimetals Ltd.	SBCWP No. 12259/2009	
34.	Manglam Cement Ltd.	SBCWP NO 15865/2009	RERC(Metering Regulations) 2007
35.	Grasim Industries Ltd.	SBCWP No. 516/2010	

S.No.	Petitioner	Writ Petition/Appeal No.	Subject Reference
36.	Aditya Cement	SBCWP No. 517/2010	
37.	J K Laxmi Cement Ltd	SBCWP No. 518/2010	
38.	Chittor Cement Works	SBCWP No. 519/2010	
39.	Binani Cement Ltd.	SBCWP No. 520/2010	
40.	Birla Cement Works	SBCWP No. 521/2010	
41.	Rajasthan State Mines & Minerals Ltd.	SBCWP NO 681/2010	
42.	M/s HZL	CW 2034/2008	Against RERC (Terms & Condition of Open Access Regulation, 2004)
43.	M/s HZL	CW 2532/2008	Against RERC (Terms & Condition of Open Access Regulation, 2004)
44.	M/s Chambal Fertilizers, Kota	CW 14510/2009	Against RE Obligation
45.	M/s Grasim Industries	CW 14575/ 2009	Against RE Obligation
46.	M/s Shri Ram Rayons, Kota	CW 9781/2009	Against RE Obligation
47.	M/s Ambuja Cement Ltd.	CW 9783/2009	Against RE Obligation
