

RAJASTHAN ELECTRICITY REGULATORY COMMISSION

Annual Report

2010-11

Chapter – I : General

- 1.1 The Rajasthan Electricity Regulatory Commission (RERC) has been functioning since January, 2000. During the year FY 2010-11, Shri D.C. Samant was its Chairman since 27.2.09, Sh. S.K. Mittal, as Member (Finance), since 5.9.08 and Shri. S. Dhawan, as Member (Tech), since 13th July 2010. Shri K.L. Vyas worked as Member (Tech) upto 31st May, 2010.
- 1.2 Shri Ashwini Bhagat, IAS, continued to function as Secretary, RERC, in the year under report.

Chapter – II : Regulations

- 2.1 The Commission framed the following new Regulations, in the year 2010-11, after following the procedure of previous publication: -
 1. RERC (Tariff for Sale of Power by Captive Power Plants to Distribution Licensees) Regulations, 2010
 2. RERC (Renewable Energy Certificate and Renewable Purchase Obligation Compliance Framework) Regulations, 2010
 3. RERC (Appointment of Consultant(s)) Regulations, 2011
- 2.2 Amendments in the existing Regulations

The Commission issued the following amendment in the existing Regulations, in the year 2010-11, after following the procedure of previous publication: -

1. RERC (Fee for Petitions) (6th Amendment) Regulations 2011

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

3.1 ARR/Tariff/Other orders issued by the Commission

Orders for Multi Year ARR for the Control Period from FY 2009-10 to FY 2013-14 of Jaipur, Ajmer and Jodhpur Vidyut Vitran Nigams Ltd. and Truing-up of Aggregate Revenue Requirement for FY 2007-08 of Jaipur and Jodhpur Vidyut Vitran Nigams Ltd., were issued on 15.4.2010

3.2 The revenue deficit projected by the three Discoms, and as assessed by the Commission, over the MYT control period, from FY 10 to FY 14, and for the financial year 10-11, is as under:

MYT Period FY 10 - FY 14:

(₹ in crores)

S. No	Name of Discom	Aggregate Revenue Requirement from retail tariff, as indicated by Discoms	Aggregate Revenue Requirement, as assessed by the Commission	Revenue gap projected by the Discom	Revenue gap, assessed by the Commission
1	Jaipur Discom	31,287	32,699	4,893	4,393
2	Ajmer Discom	28,365	26,324	10,396	8,993
3	Jodhpur Discom	27,445	25,087	11,200	9,133
4	Total of all Discoms	87,097	84,110	26,489	22,519

FY 10-11

(₹ in crores)

S. No	Name of Discom	Aggregate Revenue Requirement from retail tariff, as indicated by Discoms	Aggregate Revenue Requirement as assessed by the Commission	Revenue gap, projected by Discom	Revenue gap, assessed by the Commission
1	Jaipur Discom	5,486	5,891	680	861
2	Ajmer Discom	5,112	4,887	1,814	1,712
3	Jodhpur Discom	4,894	4,561	1,944	1,651
4	Total of all Discoms	15,492	15,339	4,438	4,224

The Commission observed that uncovered revenue deficit of the Discoms, which stood at ₹ 15,540, Cr. as on 31.3.09, would further increase and accumulate over the years and therefore directed the Discoms, to file petition for revision of tariff, within a period of two months.

3.3 Cross Subsidy Surcharge and Wheeling Charges

The Commission, vide order dated 31.3.11, observed that since the Cross Subsidy surcharge, for open access consumers in the state, determined for 2010-11, has reached the level specified in RERC, Tariff Regulations, the cross subsidy

surcharge as determined by the Commission, vide its order dt. 31.3.2010, will remain in force for the remaining current control period i.e. till 31.3.2014 as under:
Cross Subsidy Surcharge for FY 2011-12 to 2013-14

Particulars	Cross Subsidy Surcharge(₹/kwh)
Industrial Consumers	
LIP - EHV	0.18
LIP -33KV	0.13
LIP -11KV	0.05
Mixed Load Consumers	
ML -132KV	0.15
ML -33KV	0.09
ML -11KV	0.02
Non Domestic Consumers	
NDS-132KV	0.49
NDS-33KV	0.43
NDS-11KV	0.36

The Commission determined the following Wheeling Charges and the losses for 2011-12, to be the same ,as were prevailing during the FY 2010-11, till re-determined by the Commission, on the petitions latter filed by the Discoms :-

Wheeling Charges

Supply Voltage	Wheeling charges (₹/kwh)	System losses (%)
EHV	0.01	0.00%
33KV	0.11	3.80%
11KV	0.32	12.60%

3.4 Annual Revenue Requirement (ARR) & Revision of Retail Supply Tariff for FY 11-12 of Jaipur, Ajmer and Jodhpur Discoms.

- 3.4.1 Discoms, filed petitions for ARR & revision of Retail Supply Tariff, U/s 62 and 64 of the Electricity Act 2003 for the FY 11-12 on 4.1.2011.
- 3.4.2 Subsequently, the Discoms filed supplementary petitions on 7.3.11, vide which they submitted revised proposals for Time-of-Day (ToD) tariff and incentive, on use of solar water heaters.
- 3.4.3 As on 31st March, 2011, the petitions were under consideration of the Commission.

3.5 Determination of transmission charges, SLDC charges and charges for partnership projects for the year 2010-11 of Rajasthan Rajya Vidyut Prasaran Nigam Limited (RVPN).

- 3.5.1 Rajasthan Vidyut Prasaran Nigam Limited (RVPNL), filed a petition on 27.01.10 for Truing up of ARR for FY 2008-09, and determination of

transmission charges, SLDC charges and charges for partnership projects for the year 2010-11.

- 3.5.2 After hearing the petitioner and stakeholders, the Commission, vide order dated 16.9.2010, approved the following transmission charges, SLDC charges and charges for partnership projects for the year 2010-11 :-

ARR & Tariff approved for FY 2010-11

Particulars	Approved
Transmission charges to be recovered from Discom (₹ in Crores)	1202
SLDC (in Crores)	29.14
Partnership Projects (₹ in Crores)	96.68
Transmission Tariff (Rs/KW/Month)	124.4
Transmission Tariff for Power Exchange (Paisa/kWh)	27
Transmission tariff for Short term open access transaction (₹/kW/Day)	4.09
SLDC charges for Discoms and OA consumers (₹/kW/Month)	3.01

- 3.5.3 The truing up of FY 2008-09 was withdrawn by RVPN.

3.6 Determination of ARR for FY 2009-10 to 2013-14 and tariff for FY 2009-10 & 2010-11 in respect of Kota Super Thermal Power Station Unit-VII (195 MW) and Suratgarh Super Thermal Power Station Unit-VI (250 MW) of Rajasthan Rajya Vidyut Utpadan Nigam Limited (RVUN).

- 3.6.1 The Rajasthan Rajya Vidyut Utpadan Nigam Ltd. (RVUN), filed a petition on 24.09.2009 for determination of ARR for Multi Year Control Period from FY 09-10 to FY 13-14 and Tariff for FY 2009-10 in respect of Unit-7 (1 x 195 MW) of Kota Super Thermal Power Station and Unit-6 (1 x 250 MW) of Suratgarh Super Thermal Power Station.

- 3.6.2 The tariff for the year 2009-10 and 2010-11, as allowed, vide order dated 27.5.2010, is as under:

KTPS Unit-7

Particulars	2009-10		2010-11	
	Petitioned	Allowed	Petitioned	Allowed
Fixed Charges(₹/kWh)	1.2849	1.2156	1.1481	1.1107
Variable Charges	1.8835	1.8764	1.9890	1.8764
Total:	3.1684	3.0920	3.1371	2.9871

3.6.3 STPS Unit-6

Particulars	2009-10		2010-11	
	Petitioned	Allowed	Petitioned	Allowed
Fixed Charges(₹/kWh)	1.1882	1.1678	1.1661	1.2096
Variable Charges	2.2977	2.3178	2.4619	2.3178
Total:	3.4859	3.4856	3.6280	3.5274

3.7 Determination of Annual Revenue Requirement and Generation Tariff for FY 2010-11 of RVUN Power Stations.

3.7.1 Rajasthan Rajya Vidyut Utpadan Nigam Ltd. (RVUN) filed a petition on 3.12.2009, for determination of tariff for supply of electricity, from its existing power stations to distribution companies. (from the power stations listed below in para 3.7.2)

3.7.2 The following tariff for FY 2010-11 was allowed, by the Commission:-

S. No.	Particulars	Capacity (MW)	Annual Charges (₹ Crores) (to be recovered from Discoms)	Fixed Approved Energy Charge (₹/kWh)
1.	Kota Thermal Power Station (KTPS)	1045	294.36	1.9573
2.	Suratgarh Thermal Power Station (STPS)	1250	627.75	2.3406
3.	Ramgarh Gas Thermal Power Station (RGTPS)	110.50	36.65	1.8224
4.	Dholpur Combined Cycle Gas Based Thermal Power Plant (DCCPP)	330	188.43	2.3425
5.	Mahi Hydel Power Project (MAHI)	140	14.15	0.25

3.8 Review of the Order dated 13.11.2009, passed by the Commission in Petition No. 184/2009 for determining the provisional tariff for the first two units of 135 MW each by Raj WestPower Ltd., at Barmer.

M/s Raj West Power Limited filed a petition on 15.12.2009, to seek review of the Commission's Order dated 13.11.2009, vide which the Commission had determined provisional tariff for first two generating units of M/s Raj West Power Ltd., for 2009-10 & 2010-11.

The Commission held that review of the earlier order was not warranted, and the review petition was disposed-off, accordingly.

3.9 Adoption of tariff & approval of extended time line for procurement of 1000MW and additional 200MW of base load power discovered through the process of competitive bidding under Case-1 as per the guidelines for determination of tariff by competitive bidding process by RVPN

3.9.1 M/s. Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Jaipur (RVPN) submitted a petition on 25.2.10, on behalf of all three Discoms, seeking approval of the Commission for adoption of tariff quoted by M/s Adani Power Rajasthan Ltd. (APRL) discovered through competitive bidding, under Case-I. Petition was filed under clause 5.16 & 6.4 of the "Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by Distribution Licensees" issued by the MoP, Gol, vide notification No. 23/11/2004-R&R (Vol. II) dated 19-01-2005 (including its amendments) under Section 63 of the Act, with a prayer for:-

- (a) Approval of deviations, in respect of extended time line, beyond 195 days, as specified in clause 5.19.
- (b) Adoption of Tariff for purchase of long term base load power, as quoted by the successful bidder (M/s Adani Power Rajasthan Limited) under Case-1 bidding process under Section 63 of the Act.
- (c) Approval for procurement of additional 200 MW of base load power, offered by the successful bidder (M/s Adani Power Rajasthan Limited) at the quoted tariff, on the same terms & conditions.

3.9.2 The decisions of the Commission were as under:

- (a) Approved the deviations in respect of extended time line beyond 195 days.
- (b) Adopted the Tariff as quoted by the selected bidder M/s Adani Power Rajasthan Limited for supply of power to the procurer as per their respective share.. The adopted tariff shall be charged in accordance with PPA signed on 28.1.2010.
- (c) Approved the procurement of additional 200 MW of base load power offered by the Successful Bidder (M/s Adani Power Rajasthan Limited) at the adopted tariff on the same terms & conditions.

3.10 In the matter of determination of generic tariff for sale of electricity, in the State to the Distribution Licensees, from Solar Power Plants, including roof top SPV systems and small solar power plants-Suo-Motu, Date of Order: 25.5.2010

3.10.1 The generic tariff, levelled for 25 years, for two different technologies (SPV & Solar thermal) and for Roof Top and small Solar PV Installations, was determined as under:

S.No.	Particulars	Tariff (₹/kWh)
1.	2.	3.
1.	Solar Thermal Power Plants commissioned by 31.3.2013	12.58
2.	Solar Photo Voltaic (PV) Power Plants commissioned by 31.3.2012	15.32
3.	Roof Top Solar PV Installations and other small solar power generation plants covered in Gol's subsidy scheme commissioned by 31.3.2012	15.32

3.10.2 PPA, as per order was to be executed for 25 years. The tariff for roof top solar PV installation and small solar systems is inclusive of the incentive/subsidy component, to be received by the purchasing utility/distribution licensee from Govt. of India. For plants availing benefits of accelerated depreciation, the above tariff shall be reduced by ₹ 1.59/kWh for serial No.1 and Rs 2.13/kWh for serial No. 2&3 of preceding sub-para.

3.11 Amendment in the order, dated 25.5.2010 for determination of generic tariff for sale of electricity, in the State to the Distribution Licensees, from small solar power plants-Suo-Motu, Date of Order: 29.9.2010

The tariff order dated 25.5.10, stood amended to extend the tariff as applicable for MW scale solar thermal plants, to small solar thermal plants, covered in Gol's subsidy scheme and the entry No.3 in table of the said order was re-worded alongwith a new entry at S.No.4 of the said table and the amended table is as under:

S. No.	Particulars	Tariff (₹/kWh)
1.	Solar Thermal Power Plants commissioned by 31.3.2013	12.58
2.	Solar Photo Voltaic (PV) Power Plants commissioned by 31.3.2012	15.32
3.	Roof Top Solar PV Installations and other small solar PV power generation plants covered in Gol's subsidy scheme commissioned by 31.3.2012	15.32
4.	Small Solar Thermal Power generation plants covered in Gol's subsidy scheme commissioned by 31.3.2013	12.58

In pursuance of the said amendment, order was partially modified to the extent that the tariff of solar projects mentioned at S.No.4 (newly added S.No.) would

also get reduced by ₹ 1.59/kWh for plants availing benefits of Accelerated Depreciation, as is applicable in case of MW scale thermal solar projects.

3.12 M/s Indian Wind Power Association & M/s Enercon (India) Ltd. petitioned for removal of difficulties in tariff regulations and review of the order dated 31.3.10 regarding tariff for wind power plants.

Both the above petitions were filed for clarification and for removal of difficulties in implementation of provisions of tariff regulations, 2009, in respect of determination of tariff of wind power plants, and review of the order, dated 31.3.10.

The Commission reviewed the tariff, determined vide order dated 31.3.2010, for the wind energy generating plants, commissioned/to be commissioned, during FY 2010-11, incorporating the changes, due to variation in the rate of MAT and, accordingly, the Revised Tariff for Wind Energy Projects for the plants commissioned in FY 2010-11 was decided to be as under: -

Particulars	Jaisalmer, Barmer & Jodhpur Districts	Other Districts
Levelised tariff as determined earlier, vide Commission order dated 31.3.2010	₹ 3.83/kWh	₹ 4.03/kWh
Revised Levelised tariff	₹ 3.87/kWh	₹ 4.08/kWh

In likelihood of similar difficulty in future also, as and when MAT/tax rate gets changed, the Commission took the view that necessary changes in the Regulation may be made to obviate the necessity of invoking powers of Regulation 134, for removal of difficulty, in such situation(s).

3.13 Determination of tariff for FY 2011-12 for existing power plants of RVUN

The RVUN filed the petition on 1.12.2010 for determination of tariff, for FY 2011-12. The prayer in the petition included request to allow provisional tariff, w.e.f. 1.4.11 for FY 2011-12. Vide Commission order dated 31.3.2011, the provisional tariff for RVUN in respect of the existing power plants was allowed as under:

(₹/kWh sent out) Parameter	KTPS	STPS	DCCPP	RGTPP	MAHI
Fixed charges	0.5155	0.8036	0.84	0.5115	1415
Variable charges	1.8861	2.3018	2.3425	1.8224	545
Total tariff	2.4016	3.1054	3.1825	2.3339	1960

It was stipulated in the Commission order, that the tariff for RVUN shall be on provisional basis, subject to adjustment in the final tariff, so determined by the Commission.

3.14 Determination of tariff for FY 2011-12 for their SLDC & Partnership Projects, owned by RVPN

The RVPN filed petition for determination of tariff for FY 2011-12 on 14.3.2011. The prayer in the petition included request for provisional tariff w.e.f. 1.4.11 for FY 2011-12. The Commission, vide order dated 31.3.2011, allowed provisional tariff for RVPN, as under:

Provisional Tariff for FY 2011-12

S. No.	Particulars	Allowed by Commission for FY 2011-12
1.	Transmission Tariff [₹/ kW/ month]	152.00
2.	Transmission Charges for short term open access customer [₹/ kW/ day])	5.00
3.	Transmission Charges for Power Exchange Transactions [Paise/kWh]	34.00
4.	SLDC Charges (₹ Lakhs/month)	308.00

It was stipulated that the transmission tariff and SLDC charges shall be subject to adjustment, when the same are finalized, for the FY 2011-12.

3.15 Seeking project specific tariff determination by M/s Amrit Environment Tech. Pvt. Ltd., in respect of Bio- mass power plants at Kotputli and by M/s S. M. Environmental Tech. Pvt. Ltd., Kotputli.

M/s Amrit Environmental Tech. Pvt. Ltd., Chennai filed a petition, on 22.11.10, for determination of project specific tariff for its Bio-mass power plant, at Kotputli, based on mustard husk. M/s S. M. Environmental Tech. Pvt. Ltd., Chennai, also filed a similar petition.

The Commission observed that both the petitioners already had valid PPAs, with the licensees, specifying the tariff at which power shall be purchased. Since the tariff has already been agreed-upon by both the parties, as per State government policies and/or tariff regulations, the petitions were not fit for admission and were disposed of accordingly.

3.16 In the matter of determination of tariff for sale of electricity from Juliflora based Bio-mass power plants in the State, to Distribution Licensees, during MYT control period 2009-14 and in the matter of review & amendment, in norms/parameters specified by the Commission in RERC (Terms and Conditions for Determination of Tariff) Regulations, 2009.

Applicability of Tariff:

The Commission decisions on various issues, involved in the matter, were as under:

- (i) It would neither be appropriate, nor advisable, to have different tariffs, based on type of bio-fuel and therefore, the tariff determined earlier vide orders dated 17.8.2009 and 31.3.2010, would be applicable to all Bio-mass plants irrespective of fuel excepting Biomass Gasification power plant. However, separate norms for Juliflora could be considered at a later stage if reliable information/data is available.
- (ii) In case of Bio-mass Gasification power projects, the tariff as determined for water cooled Bio-mass plants (distinct from tariff of air cooled power plants) shall be applicable until separate norms and tariff are determined for Bio-mass Gasification projects.
- (iii) The preferential tariff as extended to other Bio-mass projects would be applicable for procurement under Renewable Purchase Obligation.
- (iv) The petitioners viz. M/s Sambhav Energy Ltd. and M/s Transtech Green Power Ltd. are, entitled to the generic tariff as per this order and claim the difference between the generic tariff and interim tariff in next three monthly installments in respect of period for which tariff has been charged at the rate of provisional tariff.
- (v) To substantiate the review of GCV norms, Rajasthan Bio-mass Power Developers Association(RBPDA) may engage any expert agency/institute after getting approval of the nodal agency (RREC), as discussed in para 51(6) of the order.
- (vi) The nodal agency (RREC) should get the prices and price trend of main Bio-mass fuels in the State studied/surveyed, particularly in respect of Mustard crop based and Juliflora Bio-mass and furnish its recommendations within a period of 3-4 months from the date of the order.

On the petition filed by M/s. Sathyam Power Pvt. Ltd. (No. RERC/225/10) related to amendment in norms/parameters, specified by the Commission vide RERC Tariff Regulations 2009, the Commission observed that the decision on review of fuel price specified in the Regulations would be taken up after getting the report from RREC in the light of the study/survey required to be undertaken by them as per this order.

Chapter-IV : Other Orders, issued by the Commission

4.1 Investment Plan for FY 2010-11, of Rajasthan Rajya Vidyut Prasaran Nigam Ltd.

The petitioner, Rajasthan Rajya Vidyut Prasaran Nigam Ltd. (RVPNL), filed a petition in the matter of approval of Investment Plan, for FY 2010-11, on 29th January, 2010.

The Commission, in principle, approved investment plan for the year 2010-11 for ₹ 2280 crores, against the proposed plan of ₹ 2550 crores, as under: (₹ in Crores)

Investment (In ₹ Crores)		
Generation (shared generating projects)	Transmission	Total
20	2260	2280

4.2 Dispute between M/s RKM Powergen Private Ltd., Chennai, Generating Company and a licensee in Competitive Bidding Process, under case-I, bidding procedure, Petition No. RERC-222/10 Order date : 12.08.2010

The Commission observed that the petition was not fit for admission, and was, therefore, dismissed, without any order as to cost.

**4.3 Order seeking clarifications of Commission's previous orders.
Order Date: 18.01.2011**

M/s Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Jaipur (RVPN) filed a petition for interpretation/clarification of Commission's orders dated 31.3.08 and 07.03.07. The petitioner prayed for interpretation of certain clauses of the referred orders, in light of observations made by the Accountant General (A.G.), Rajasthan. The petition was not admitted being not fit for admission.

4.4 Approval of quantum power scheduled, to be procured by RVPN as per "Guidelines for determination of tariff by bidding process for procurement of power by distribution licensees". Date of Order: 3.3.2011

Rajasthan Rajya Vidyut Prasaran Nigam Ltd. (RVPN), under authorization from the Distribution Companies, filed a petition on 21.8.09, for revision of Commission's order dt. 3.11.08, and prayed for allowing procurement of 1000 MW of power, under case-I, for round the year, on long term basis, for a period of 25 years, in place of procurement, during peak season only.

In the light of the above, the permission, as under, for procuring-in total 1250(+10%)MW installed capacity through bidding—which included the interim permission granted earlier, in respect of Giral unit 3&4, lignite-based power was accorded:

- (a) 1000MW (+10%) - under case-2 or case-1 as required.
- (b) 250 MW (+10%) - under case -2 from Giral unit 3&4 lignite based power plant (Barmer).

The Commission withdrew the approval, to procure 1000 MW for peak months (Oct. to March) accorded earlier, as per order dated 03.11.08.

4.5 Review of order dt. 8.4.10, regarding opening of RFQ bids, for procurement of power for Discom, through competitive bidding process under case 2.

On admissibility of petition, the Commission observed that the petitioner had not placed any new fact in the matter and could not indicate any apparent error in the impugned order. Thus, the impugned order was not open to review as there was no mistake or error apparent on the face of record.

The petition was accordingly dismissed and was disposed off, with no order, so as to cost.

4.6 Removal of difficulties regarding applicable tariff for specific cases of wind energy projects in pursuance of RERC (Terms and Conditions for Determination of Tariff) Regulation, 2009. Petition No. RERC-223/10 Order date: 06.07.2010

The petition was observed 'Not fit' for admission and disposed off accordingly.

4.7 In the matter of approval of deviation under Case-2 from the "Guidelines for determination of tariff by bidding process for procurement of power by distribution licensees" and adoption of tariff, under Section 63 of the Electricity Act, 2003. Petition No. RERC 216/10 Date of Order: 8/4/2010

The petition was is disposed off with no order so as to cost.

**4.8 Commission Order No. 10 Dated 16, June, 2010 ---
Nomination of State Agency for Accreditation and Recommending the Renewable Energy Projects for Registration.**

The Central Electricity Regulatory Commission had notified the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010, on January 14, 2010. These regulations provide for designation of a state agency, by the State Regulatory Commission, to act as agency for accreditation and recommending the Renewable Energy Projects, for registration. Therefore, the Rajasthan Electricity Regulatory Commission designated the Rajasthan Renewable Energy Corporation as the State Agency for the purpose of regulation 2 (1) (n) of these regulations, to act as the agency for accreditation and for recommending the renewable energy projects for registration.

4.9 100% metering of flat rate consumers.

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 could be extended by the respective Commission. The Commission, earlier vide notification dated 16.9.09, 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 the agriculture consumers, upto 31.12.2009, with a further 3 months period for final verification, and to ensure reporting of final compliance by 31.3. 2010.

The Commission, in its 185th meeting, held on dt.24.12.10, reviewed the progress with regard to various measures, taken by the Discoms, including providing meters in the transformers, 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 30.04.2011.

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 10th and 11th Meetings of the State Advisory Committee were held on 23rd July, 2010, and 25th January, 2011, respectively.

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 2009-10 for Ajmer & Jodhpur Discoms, has been placed on the website.
- 5.2.2 The Commission also initiated the process of revision in the Standards of Performance, already proscribed by it, in 2003, in line with the standards, laid-down by the Forum of Regulators.

5.3 Commission Website

The website of the Commission www.erc.gov.in is hosted & maintained by M/s Rajcomp, Jaipur. The website is being updated regularly from time to time. The depiction of schedule of hearing, on the website, to indicate the date of hearing of various petitions, has also been introduced by the Commission. The orders, tariff orders & regulations on the Commission website, were also re-arranged as per date of their issuance, for easy reference.

5.4 Tariff for Captive Generation

The Commission has finalized the RERC (Tariff for Sale of Power by Captive Power Plants to Distribution Licensees) Regulations, 2010 which have replaced the "RERC (Tariff for Captive Power Plants) Regulations, 2007".

5.5 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 the 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 Budget & Accounts of the Commission

For the year 2010-11, a budgetary provision of ` 907.29 lacs were approved by the Commission, against which an expenditure of ` 460.83 lacs was incurred. The Commission received a sum of ` 943.21 lacs during the year 2010-11 towards petition fee etc. and other miscellaneous income, as per the details given below:-

S. No.	Item	Amount (in lacs of ₹)
1	Petition Fee	874.51
2	Interest on Deposits	64.00
3	Other Income	4.70
	Total	943.21

The Commission has transferred the following amounts out of its revenue, into various terminal benefit trusts, based on Actuarial Valuation:-

S. No.	Name of Trust	Amount transferred during the year (in ₹)	Total amount available in trust account as on 31.3.2011
1	RERC Pension Fund	3747486	3,0025,465
2	RERC Gratuity Fund Trust	421936	39,43,705
3	RERC PMCF Trust	439157	13,15,341

5.8 Sanctioned Posts/ Working Strength of the Commission, as on 31.03.2011

S. No.	Name of Post	No. of sanctioned Post	Working
1	Secretary	1	1
2	Special Secretary (Fin)	1	1
3	Special Secretary (T.)	1	-
4	Jt. Secretary (Law)	1	1
5	Joint Secretary (T)	2	2
6	Joint Secretary (Fin)	1	-
7	Dy. Secretary (Fin)	1	1
8	Dy. Secretary/ T.A. to Chairman	1	1
9	Dy. Secretary (T)	2	2
10	Dy. Secretary (F)	1	1
11	Dy. Secretary (Adm)	1	1
12	Dy. Secretary/ Sr. Economic Analyst	1	1
13	Astt. Secretary (Tech)	4	1
14	Astt. Secretary (Fin)	3	1
15	P.S. to Chairman	1	-
16	Sr. P.A.	2	2
17	P.A.	3	3
18	Legal Assistant	1	1
19	Steno cum Computer Operator	6	2
20	Executive Assistant (Technical)	4	4
21	Accountant	1	1
22	Junior Accountant	1	-
23	Store Keeper, Cashier, Librarian	2	1
24	Establishment RD Clerk (LDC)	3	2
25	Vehicle Driver	2	2
26	Class-IV	8	8
		55	40

Chapter – VI: Consumer Affairs

6.1 Consumer Affairs

6.1.1 Grievance Redressal by the Forums of Licensees

1. The modified Regulations, 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. Independent Member have been nominated in the Corporate Level Grievance Redressal Forum of the Discoms.

3. The representations, received directly from consumers, were dealt appropriately for redressal. The details of the representations received directly in the Commission are as follows:

No. of Grievances received in the Commission and sent to the Discoms during FY 2010-11 for Redressal.

S. No.	Name of Discoms	No. of Grievances
1	2.	3.
1.	Ajmer VVNL	8
2.	Jaipur VVNL	21
3.	Jodhpur VVNL	6

6.2 Grievance Redressal by Ombudsman

6.2.1 RERC (Settlement of Disputes by Electricity Ombudsman) Regulations, 2010, for appointment of an Independent Ombudsman had been notified 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 An independent Ombudsman, namely, Electricity Ombudsman has started functioning with effect from 23rd September 2010. The status of the grievances redressed by the Electricity Ombudsman, after appointment, during the year 2010-11 is as follows:-

No. of cases, received	No. of cases, settled	No. of pending cases, at the end of the year 2010-11
8	7	1

Chapter – VII : Petitions & Appeals before the Commission

At the beginning of the year 2010-11, 28 petitions were pending, out of which orders in respect of 23 petitions were issued by the Commission. During the year 2010-11, 33 petitions were received out of which orders in respect of 14 petitions were issued by the Commission. Thus, 24 petitions were pending for decision at the end of the year 2010-11. Status of the petitions has been indicated in the following sub-paras.

List of pending petitions

S. No.	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remarks/Order issued by commission
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 of 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.	03.03.09	Jodhpur VVNL, Jodhpur	MYT for FY 10 to 14 and ARR for FY10	RERC/180/09	Order issued on 15.4.10
5.	03.03.09	Jaipur Vidyut Vitran Nigam Ltd, Jaipur	MYT for FY 10 to 14 and ARR for FY10	RERC/181/09	Order issued on 15.4.10
6.	20.03.09	Ajmer Vidyut Vitran Nigam Ltd, Ajmer	MYT for FY 10 to 14 and ARR for FY10	RERC/185/09	Order issued on 15.4.10
7.	30.03.09	ACME tele. power	Tariff for solar power Plant	RERC/187/09	Order issued on 15.4.10
8.	01.4.09	M/s Videocon Industries, Jodhpur	Tariff for solar power plants	RERC/188/09	Order issued on 25.5.10
9.	01.4.09	M/s Moser Baer photovoltaic Ltd., New Delhi	Tariff for solar power plants	RERC/189/09	Order issued on 25.5.10
10.	02.4.09	M/s. Astonfield Solar (Rajasthan) Pvt. Ltd., Mumbai	Tariff for solar power plants	RERC/191/09	Order issued on 25.5.10

S. No.	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remarks/Order issued by commission
11.	02.4.09	M/s Entegra Limited, New Delhi	Tariff for solar power plants (1 MW)	RERC/192/09	Order issued on 25.5.10
12.	02.4.09	M/s Entegra Limited, New Delhi	Tariff for solar power plants (10MW)	RERC/193/09	Order issued on 25.5.10
13.	02.4.09	M/s.OPG Energy Pvt. Ltd. Chennai	Tariff for solar power plants	RERC/194/09	Order issued on 25.5.10
14.	02.4.09	M/s REFEX Refregirator Ltd., Chennai	Tariff for solar power plants	RERC/195/09	Order issued on 25.5.10
15.	02.4.09	M/s Swiss Park vanijya Pvt. Ltd., Kolkata	Tariff for solar power plants	RERC/196/09	Order issued on 25.5.10
16.	02.4.09	M/s. AES Solar Energy Pvt. Ltd., Gurgaon,	Tariff for solar power plants	RERC/197/09	Order issued on 25.5.10
17.	21.8.09	M/s Shri Rangam Brokers & Holdings Ltd., New Delhi	Tariff for solar power plants	RERC/204/09	Order issued on 25.5.10
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	Order issued on 23.3.11
19.	16.10.09	M/s RVUN	Tariff & ARR for MYT FY 10-14 of KTPS(Unit-7), STPS(Unit-6)	RERC/207/09	Order issued on 27.5.10
20.	3.12.09	M/s RVUN	Petition for truing Up of FY-09 and tariff for FY-11	RERC/209/09	Order issued on 16.11.10
21.	15.12.09	M/s Raj west Power Ltd.	Review of Order dt. 13.11.09	RERC/210/09	Order issued on 17.5.10
22.	13.1.10	M/s sambhav Energy Ltd., Chennai	Determination of tariff for Juli Flora based power plant	RERC/211/10	Order issued on 11.10.10

S. No.	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remarks/Order issued by commission
23.	18.1.10	M/s RVUN	Truing up FY-05 to FY-08	RERC/212/10	Pending
24.	27.1.10	M/s RVPN	ARR for FY-11 & Truing up of FY-09	RERC/213/10	Order issued on 16.9.10
25.	29.1.10	M/s RVPN	Investment approval FY-11	RERC/214/10	Order issued on 29.12.10
26.	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	Pending
27.	23.2.10	M/s RVPN	Revision in date of opening of RFQ of Case-1 purchase of power	RERC/216/10	Order issued on 8.4.10
28.	25.2.10	M/s RVPN	Adoption of tariff discovered by Case-1 bidding & approval of deviation	RERC/217/10	Order issued on 31.5.10

Petitions received during year 2010-11

S. No.	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remark/Order issued by commission
1.	23.4.10	M/s Transtech Green power Ltd., New Delhi	Determination of tariff of Bio- Mass power plant based on Juli flora	RERC/218/10	Order issued on 11.10.10
2.	30.4.10	M/s RVPN	Review of Order dt. 8.4.10 on time extension of RFQ	RERC/219/10	Order issued on 30.6.10
3.	30.4.10	M/s Indian Wind Power Association, Jaipur	Review of order no. 9 dt. 31.3.10 regarding wind tariff order	RERC/220/10	Order issued on 6.8.10

S. No.	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remark/Order issued by commission
4.	30.4.10	M/s. Enercon (India) Ltd., Mumbai	Removal of difficulties in tariff regulations and amendment in tariff order dt 31.3.10	RERC/221/10	Order issued on 6.8.10
5.	11.5.10	M/s R. K. M. Powergen Pvt. Ltd., Chennai	Dispute between generating company & Licensee	RERC/222/10	Order issued on 12.8.10
6.	14.5.10	M/s Indian Wind Power Association, Jaipur	Removal of difficulties U/s 134 of tariff regulation on applicability of tariff	RERC/223/10	Order issued on 6.7.10
7.	1.6.10	M/s.Balkrishan a Industries, Bhiwadi	Non-compliance of Commission's order dt 25.7.06 & 4.11.06	RERC/224/10	Order issued on 6.1.11
8.	11.6.10	M/s Satyam Power Pvt. Ltd	Review of Tariff regulation in respect of Bio-Mass fuel price of musterd husk	RERC/225/10	Order issued on 11.10.10
9.	28.6.10	M/s RVUN	Review of tariff order 27.5.10 regarding STPS	RERC/226/10	Order issued on 17.8.10
10.	23.7.10	M/s. RSMML, Udaipur	Non-compliance of Commission's order dt 4.11.06	RERC/227/10	Order issued on 6.1.11
11.	23.8.10	M/s Shri Rajasthan Syntex Ltd.	Adjudication of dispute between licensee & generating company	RERC/228/10	Pending for hearing
12.	28.9.10	M/s RVUN	In principal approval of capital cost of 2X660 MW Suratgarh Super	RERC/229/10	Pending

S. No.	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remark/Order issued by commission
			Thermal Power Station		
13.	28.9.10	M/s RVUN	In principal approval of capital cost of 160 MW Gas based Ramgarh Power Project	RERC/230/10	Order issued on 25.2.11
14.	13.10.10	M/s Global Energy Ltd. New Delhi	Amendment in intra-state trading licensee	RERC/231/10	Pending
15.	4.11.10	M/s. Enercon (India) Infrastructure Pvt. Ltd., Mumbai	Application for grant of licence for transmission of electricity	RERC/232/10	Pending for hearing
16.	22.11.10	M/s Amrit Environmental Tech. Pvt. Ltd.	Determination of tariff for Bio- Mass project	RERC/233/10	Order issued on 19.1.11
17.	22.11.10	M/s SM Environmental Tech. Pvt. Ltd.	Determination of tariff for Bio- Mass project	RERC/233/10	Order issued on 19.1.11
18.	23.11.10	M/s Kalptaru Power transmission Ltd.	Adjudicate the dispute between generation company & Licensee	RERC/235/10	Order reserved
19.	26.11.10	M/s RVPN	Clarification on Commission's orders	RERC/236/10	Order issued on 18.1.11
20.	1.12.10	M/s RVUN	Tariff & ARR of RVUN power Stations	RERC/237/10	Objections received, interim order issued
21.	14.12.10	M/s JVVNL	Tariff for FY 11	RERC/238/10	Objections received Pending for hearing
22.	14.12.10	M/s AVVNL	Tariff for FY 11	RERC/239/10	--do--
23.	14.12.10	M/s JdVVNL	Tariff for FY 11	RERC/240/10	--do--
24.	22.12.10	M/s Shree Cement Ltd. Beawar	Adjudication of dispute U/s 86 (1) (f)	RERC/241/10	Order reserved

S. No.	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remark/Order issued by commission
25.	19.1.11	M/s RREC, Jaipur	Determination of generic tariff for Solar project (1 MW) under central finance assistance scheme	RERC/242/11	Objections received Pending for hearing
26.	25.1.11	M/s Aravali Transmission Service Company Ltd.	Grant of Transmission Licence	RERC/243/11	Objections received Pending for hearing
27.	25.1.11	M/s Rajwest Power, Barmer	Provisional tariff of generation for unit (1&2) on lignite and unit (3&4) in imported fuel.	RERC/244/11	Objections received Pending for hearing
28.	28.1.11	Barmer Lignite Company Ltd.	Transfer price of lignite from Kapurdi mine to Rajwest	RERC/245/11	Objections received Pending for hearing
29.	31.1.11	M/s RVPN	Investment Plan for RVPN of FY-12	RERC/246/11	Objections received Pending for hearing
30.	2.2.11	M/s RSMML, Udaipur	Review of order dt. 6.1.11	RERC/247/11	Petition admitted notice issued to respondent
31.	3.2.11	M/s Balkrishna Industries	Review of order dt. 6.1.11	RERC/248/11	---do---
32.	18.2.11	M/s Maru Transmission Company Ltd.	Grant of Transmission Licence	RERC/249/11	Pending
33.	11.3.11	M/s RVPN	Determination of tariff for FY-12 and tru up of FY-09	RERC/250/11	Interim tariff issued

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

8.1 Status of the cases in the Appellate Tribunal for Electricity, & the Supreme Court New Delhi 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 31.3.2011)
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

9. Other Court Cases

S. No.	Petitioner	Writ Petition/Appeal No.	Subject Reference
1.	Prakash Sukla	CMA 1914/2003 HC JPR	challenging RERC order dated 10.6.2003
2.	Pramila Sharma	CMA 1915/2003 HC JPR	

S. No.	Petitioner	Writ Petition/Appeal No.	Subject Reference
3.	Arihant Kumar Jain	CMA 1928/03 HC JPR	relating to ARR of JVVNL for year 2003
4.	PN Mandola	CMA 1929/03 HC JPR	
5.	Raj Steel Chambers	SBCWP No. 429/2008	Order of the JVVNL regarding Power factor incentive & surcharge
6.	Motors Industries Co. Ltd.	SBCWP No. 661/2009	
7.	Bhagwati Gases Ltd.	SBCWP No. 662/2009	
8.	Rajasthan Textiles Mills	SBCWP No.663/2009	
9.	Hindustan Copper Ltd.	SBCWP No. 664/2009	
10.	Mangalam Cement	SBCWP No.710/2009	
11.	Sunil Health care Ltd.	SBCWP No.711/2009	
12.	Kajaria Ceramics Ltd.	SBCWP No. 712/2009	
13.	Parry ware Roca Pvt. Ltd.	SBCWP No. 713/2009	
14.	Hindustan Fibers Ltd.	SBCWP No.714/2009	
15.	Balaji Industrial Products	SBCWP No. 715/2009	
16.	Gulshan Chemicals Ltd.	SBCWP No. 716/2009	
17.	Shree Balaji Furnaces (p)	SBCWP No.798/2009	
18.	Tarun Alloy	SBCWP No.799/2009	
19.	Shriram Rayons	SBCWP No. 800/2009	
20.	DSR Steel Pvt. Ltd.	SBCWP No. 801/2009	
21.	R K Marbles Pvt. Ltd.	SBCWP No. 802/2009	
22.	State of Rajasthan PHED	SBCWP No. 880/2009	
23.	ACC Ltd.	SBCWP No. 881/2009	
24.	Kamal Sponge Steel &	SBCWP No. 882/2009	
25.	RSWM Ltd.	SBCWP No. 1056/2009	
26.	Lords chloro Alkali Ltd.	SBCWP No. 9093/2010	
27.	Mahesh Chand Sharma	SBCWP No.9225/2009	Conditions 27(1)(i) of Terms & Conditions of Supply of Electricity-2004
28.	Agrasen Agro Industries Pvt. Ltd.	SBCWP No. 11162/2009	Order of the JVVNL regarding Power factor incentive & surcharge
29.	Sanganeria Spinning Mills Ltd.	SBCWP No.11821/2009	
30.	Swastik Suitings Ltd.	SBCWP No.11822/2009	
31.	Synergy steels Ltd.	SBCWP No.11833/2009	
32.	Raghuveer Metal Industries Ltd.	SBCWP No. 1834/2009	
33.	Ambuja Cement Ltd.	SBCWP No. 2225/2009	

S. No.	Petitioner	Writ Petition/Appeal No.	Subject Reference
34.	Synergy Steels Limited	SBCWP NO 12226/2009	RERC(Metering Regulations) 2007
35.	Ahlocon Parenterals (India) Ltd.	SBCWP No. 12256/2009	Order of the JVVNL regarding Power factor incentive & surcharge
36.	Grasim Industries Ltd.	SBCWP No. 12257/2009	
37.	Sangam (India) Ltd.	SBCWP No. 12258/2009	
38.	Multimetals Ltd.	SBCWP No. 12259/2009	
39.	Manglam Cement Ltd.	SBCWP NO 15865/2009	
40.	Grasim Industries Ltd.	SBCWP No. 516/2010	
41.	Aditya Cement	SBCWP No. 517/2010	
42.	J K Laxmi Cement Ltd	SBCWP No. 518/2010	
43.	Chittor Cement Works	SBCWP No. 519/2010	
44.	Binani Cement Ltd.	SBCWP No. 520/2010	
45.	Birla Cement Works	SBCWP No. 521/2010	
46.	Rajasthan State Mines & Minerals Ltd.	SBCWP NO 681/2010	
47.	Lords Chloro Alkali Ltd.	SBCWP NO 9092/10	
48.	Modern Threads	SBCWP NO 116/2011	
49.	Sri Ganesh Tax Fab Ltd.	SBCWP NO 2267/2011	
50.	Suzuki Synthetics	SBCWP NO 2289/11	
51.	JK Cement Works	SBCWP NO 2817/11	
52.	Vindhyanchal Marbles	SBCWP NO 3322/11	
53.	Agrawal Marbles	SBCWP NO 3323/11	
54.	Suruchi Marbles	SBCWP NO 3324/11	
55.	Ahinsa Suitings	SBCWP NO 4489/11	
