



# RAJASTHAN ELECTRICITY REGULATORY COMMISSION

## Annual Report

2008-09

### Chapter – I : General

#### 1. General:

- 1.1. The Rajasthan Electricity Regulatory Commission (RERC) has been functioning since January 2000. Shri D.C. Samant is presently 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, has joined as Secretary, RERC on 12<sup>th</sup> January, 2009.

### Chapter – II: Regulations

#### 2. New Regulations Framed :

- 2.1. The Commission framed the following new regulations and issued amendments to the existing regulations, in the year 2008-09, after following the procedure of prior publication: -
  - I. RERC(Rajasthan Electricity Grid Code) Regulations, 2008
  - II. RERC(State Advisory Committee) Regulations, 2009
  - III. RERC(Terms & Condition for Determination of Tariff) Regulations, 2009
- 2.2. **Amendments in the existing Regulations :**
  - i) RERC (Fees for Petitions) Regulations, 2009(5th Amendment)

### Chapter – III : Orders of the Commission

#### 3. Wheeling Charges and Cross Subsidy Surcharge

- 3.1. In pursuance to Regulation 129 of the RERC (Terms & Conditions of Tariff) Regulations, 2009, the commission, vide order dt. 31.3.09,

determined the cross subsidy surcharge for Open Access consumers, in the State for 2009-10, as under, which is 40% of the surcharge, determined by the Commission, vide order dated 19.9.06 for the FY-2006-07 which is the opening level of Cross Subsidy Surcharge:

**Cross Subsidy Surcharge – for the year 2009-10**

Particulars	Cross Subsidy Surcharge(Rs./kwh)
<b>Industrial Consumers</b>	
LIP - EHV	0.36
LIP -33KV	0.25
LIP -11KV	0.11
<b>Mixed Load Consumers</b>	
ML -132KV	0.30
ML -33KV	0.18
ML -11KV	0.04
<b>Non Domestic Consumers</b>	
NDS-132KV	0.98
NDS-33KV	0.87
NDS-11KV	0.72

In absence of any petition from the Discoms, for determination of wheeling charges, the Commission vide order dated 31.3.09 determined the Wheeling Charges and the losses for 2009-10 to be the same, as were prevailing during the FY 2008-09 i.e. as determined by the Commission, vide order dated 19.9.06 for the year 2006-07, as under :

**Wheeling Charges- for the year 2009-10**

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

The Discoms were advised to get the salient features of these charges (Cross Subsidy Surcharge and Wheeling Charges) published, in two leading daily news papers, having wide circulation in their respective area of supply.

## Chapter – IV : ARR/Tariff Orders

### 4. RVUN generation Tariff

- 4.1. Rajasthan Rajya Vidyut Utpadan Nigam Limited (RVUN) filed petition, for tariff determination, for supply to distribution licensees, within the state during the year 2008-09, from its power stations in operation. As per regulatory requirement, the public notice was published in the news papers, on 30.3.08 & on 1.4.08, for inviting comments / suggestions & public hearing in the matter was held on dt.17.06.2008. After the consideration of the suggestions received from the stakeholders, the Commission issued the order in the matter on dt.28.06.2008. The tariff so finalized is as under:

Generation Tariff RVUN Stations for the year 2008-09

S.No.	Particulars	Tariff(Rs/kWh) at target PLF
1	Suratgarh TPS	Rs.2.87/kWh
2	Kota TPS	Rs. 1.86/kWh
3	Giral LTPS	Rs.2.63/kWh
4	Dholpur CCP	Rs. 3.36/kWh
5	Ramgarh GTPS	Rs.2.54/kWh
6	Mahi Hydro	Rs.0.77/kWh
7	Mini Micro Hydel	Rs.4.03/kWh

- 4.2. RVUN had also filed petition, before the Commission, for determination of tariff, for MYT control period, FY-10 to FY-14 and ARR, for FY-10 on 27.02.2009. The Commission issued order in the matter on 30.03.2009, directing, that for new plants to be commissioned in future, provisional tariff is not required to be determined now and considered it appropriate that till the tariff is determined for FY10 for the plants in operation, the tariff already determined for FY09 for these plants, shall be applicable for Vitran Nigams, on provisional basis, up to 30<sup>th</sup> June 2009, subject to adjustment against the final tariff later determined by the Commission.

### 4.3. RVPN transmission tariff

RVPN filed a petition for determination of tariff, for MYT control period FY-10 to, FY-14 and ARR for FY 10, on 26.03.2009. The Commission issued an interim order in the matter on 30.03.2009, wherein the Commission, inter-alia, decided that till the tariff is determined for FY 10, for transmission operation, the tariff already determined for FY 09 shall be applicable for RVPN, to charge on

provisional basis, upto 30<sup>th</sup> June 2009, subject to adjustment for the final tariff so determined by the Commission. The new tariff, as proposed, for recovery of transmission charges for power exchange transactions, on per kWh basis were allowed 80% of proposed tariff i.e. 36 paisa/kWh, for transmission charges for power exchange transactions, subject to adjustment against final tariff, determined by Commission.

#### **4.4. Truing up of ARR of RVPN**

Rajasthan Rajya Vidyut Prasaran Nigam Ltd; submitted petition in March, 2008, for truing-up of aggregate Revenue Requirement, determined by the Commission for the year 2004-05, 2005-06 & 2006-07. After following the process of previous publication, the Commission issued order in the matter on 01.08.2008 and decided to allow the actual expenses incurred for the year 2004-05, 2005-06 & 2006-07. As a result of truing-up of these years, the profit /loss to be carried forward in the ARR of the year 2007-08 will be zero. For the year 2006-07 RVPN has indicated the transmission capacity to increase from 5211.45 MW, as allowed by the Commission to 5415 MW. The Commission also issued directions to RVPN, such as maintenance of separate accounts for generation, Transmission & SLDC activity, power-station wise expenses for generation from BBMB and Chambal Power stations, activity- wise details of O&M expenses and proper accounting of depreciation, on the assets, added during the year, as per regulations on prorata basis, in the Assets register.

#### **4.5. Truing up and corrections in ARR of Discoms :**

4.5.1. The RERC (Terms & Conditions for determination of Tariff) Regulations, 2004, specify at Clause 103 "Annual Review", that even when ARR has been determined by the Commission, on long-term tariff principles, the distribution licensee shall file statement of ARR and proposal for tariff, every year.

4.5.2. All the Discoms furnished the petitions for truing-up of FY 06, by October, 07 and filed petitions in respect of the revised ARR, as required under regulation 3(3) read with regulation 84 of RERC (Terms and Conditions for Determination of Tariff) Regulations, 2004 in the month of Dec07. The said petitions contained data on the basis of finalised accounts, for the year 2006-07(FY 07) and revised

projections for the year 2007-08(FY 08) and 2008-09(FY 09). The petitions, received in Oct. 07 & Dec. 07, were clubbed together and considered for truing-up of ARR, for FY 06 & FY 07 and for corrections of ARR for FY-09.

4.5.3. After following the procedure of previous publication the Commission vide its order dated 11.9.2008 trued up the ARRs of the Discoms for the year FY 06 & FY 07 and also determined the revised ARR for the FY 09.

**4.6. Truing up of ARR for FY-08 & Multiyear ARRs of the Discoms for FY-10 & FY-14**

4.6.1. As per Regulation 8(2) of RERC (Terms and Conditions of Tariff) Regulations 2009, the licensees have to file the expected aggregate revenue and the estimated expenditure for the ensuing year, by November, 30 every year.

4.6.2. However, as these regulations were notified on January 23, 2009, the Commission allowed the Jaipur, & Jodhpur Discom to file the expected aggregate revenue and estimated expenditure by February 28, 2009 and Ajmer Discom, to file the petition by 20.3.09.

4.6.3. Jaipur, Ajmer & Jodhpur Discoms filed the petitions respectively on 3.3.09, 20.3.09 & 3.3.09. The licensees have utilised provisional Financial Accounts for FY 2007-08 (n-1 year) and the latest available commercial information, on sales and power procurements as basis to prepare the expected aggregate revenue requirements for the period FY 2009-10 to FY 2013-14.

4.6.4. However, on scrutiny, these petitions were found deficient on some points and the commission decided to hear the petitioners on 6<sup>th</sup>, April, 2009 on maintainability and validation of data.

**4.7. 100% metering of flat rate consumers.**

4.7.1. 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, extendable by the respective Commission. As such, the RERC, vide notification dated 15.10.2005, extended this 2 years period from the appointed date, specified U/s 55(1) of the Electricity Act, 2003 for effecting metered supply to agriculture consumers for a period of three years i.e. upto 9.6.2008. The Commission reviewed the status of conversion of flat rate consumers and looking to the progress with

regard to various measures by the Discom, the Commission vide notification dated 28.6.2008 further extended the period by one more year i.e. upto 9.6.2009.

4.7.2. The matter of conversion of flat rate consumers was also discussed during 8<sup>th</sup> meeting of State Advisory Committee, held on 5.12.08. During the meeting members of the Committee mandated that agriculture consumer's need not be pressurised to switch-over from flat rate to metered category. In the feeder renovation programme, already in place, the meter is provided on the transformer of agriculture consumers, which could facilitate calculation of the losses and meet the requirement of the Act. It was also agreed that further extension beyond 9.6.09 may not be required. The matter was also discussed with the Discoms during review meeting held on 23.3.09, where the Discoms assured to complete the FRP work by August 09.

**4.8. Approval of the quantum of capacity/energy to be procured under CASE-1 & CASE-2 as per clause 3.1 (iii)(a) of the guidelines for determination of tariff by competitive bidding process .**

4.8.1. M/s. Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Jaipur (RVPN) submitted a petition on 11.8.08 on behalf of Jaipur Vidyut Vitran Nigam Ltd., Ajmer Vidyut Vitran Nigam Ltd. and Jodhpur Vidyut Vitran Nigam Ltd., jointly called as Distribution Companies or Discoms, seeking approval of the Commission for procurement of 1500 MW power by the Distribution Companies, on long term basis for a period of 25 years under case-1 as per clause 3.1 (iii)(a) of the guidelines issued by the Central Government for purchase of power by competitive bidding process. The petition was heard for admissibility on 11.09.08 when the Commission sought the authorization of RVPN from Discoms (the procurers of power). The petition was also found deficient as to the requirement during seasonal , base load or peak load, period for which power is to be procured as specified in bidding guidelines. The Commission also granted permission to amend the petition, by 22<sup>nd</sup> September, 08, as requested by the petitioner.

4.8.2. The petitioner furnished the amended petition on 19.9.08, along-with the proper authorization, duly resolved by the Board of Directors of Jaipur Discom, Ajmer Discom & Jodhpur Discom, for procurement of power, for XII<sup>th</sup> Plan to the extent of 1500 MW power under case-1 and 1320 MW power under case-2 of the said guidelines.

4.8.3. The petition was also examined in the office of the Commission and vide letter dated 3.10.08, CE (SO&LD) representing State Load Dispatch Centre, Jaipur, was made as necessary party in this case. The petitioner was directed to furnish the required details in respect of monthly peak demand, annual energy drawal and major power cuts imposed.

4.8.4. After following the procedure of previous publication, the Commission, vide its order dt. 3.11.08, allowed the procurement of power by the Discoms, by 2016-17, under case-1 and case-2, as per Central Government guidelines as under:

Case-1 bidding – 1000 MW installed capacity round the year basis.  
1000 MW installed capacity during peak months  
i.e. Oct to March only.

Case-2 bidding - 1320 MW installed capacity round the year basis.  
3320 MW

4.8.5. The Commission stated that the interse allocation of the power, does however depend, upon the proportion, in which the existing availability is allocated and estimated demand forecast for them, which may be amended as per the actual load growth, that takes place. Liberty has been given to the Discoms, to have procurement, round the year basis of 2320 MW in totality. Any shortfall in case -1 or case2 can be made good, from the other. Similarly, the procurement of 1000 MW for peak months can be partly or wholly made from case-1 and case-2, such that the total remains the same.

#### 4.9. **Amendment in Terms & Conditions of Supply (TCOS)**

4.9.1. Jaipur Discom, on 27.2.09 filed a petition for amendment in TCOS . On receipt of the petition, the Commission heard the petitioner for admissibility of the petition on 18.3.09 and observed that petition is filed under section 43 to 48, 50, 55 & 56 of Electricity Act, 2003. These provisions of Act, confer power on the Commission, to specify Electricity Supply Code, whereas the TCOS was framed, as per regulation 44 of supply code regulations, 2004.

4.9.2. Accordingly, vide its order dated 18.3.09, the Commission directed JVVNL to file amended petition, under regulation 44 of the RERC (Supply Code & connected matters) Regulations, 2004, containing governing clause of supply code, which needed amendments and for each clause of TCOS duly segregated.



## Chapter – V : Commission's Advise/Comments

### 5. Advice to the State Government

- 5.1. The use of sprinkle/drip system of irrigation was discussed during the 8<sup>th</sup> meeting of State Advisory Committee, wherein it was resolved that necessary action may be taken by the Discoms to give priority in release of new connections to energy-efficient agriculturists and a relevant provision may also be included in the GoR policy.
- 5.1.1. As per regulation 6(A) of the RERC (Electricity Supply Code & Connected Matters) Regulations, 2004, applications or 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, so far as it is not inconsistent with the provisions of the Act.
- 5.1.2. Accordingly, the Commission vide its letter dt. 21.1.09 advised the State Government, to incorporate a suitable provision for giving priority for new connections to energy efficient agriculturists using sprinkler/drip system of irrigation, in Agriculture Policy issued by the Government.

### 5.2. Comments to CERC

#### **Consultation Paper on 'Non-Firm Power'**

- 5.2.1. In pursuance to provisions of Section 61 and 79 (1) (c ) of the Electricity Act, 2003 and requirement of para 6.4 (3) of the Tariff Policy dt. 16.01.2006, CERC evolved a Discussion paper on "Promotion of Co-generation and Generation of Electricity from Renewable Sources of Energy" and comments thereon were sought by CERC, which were duly sent by the Commission.

#### **Discussion Paper on "Measures for Restraining the Prices of the Electricity in Short-term Sale/Trading".**

- 5.2.2. The increase in prices of electricity, being sold/traded on short-term basis is a matter of great concern. To facilitate discussions on various possible options and issues involved, the CERC staff prepared a paper, titled "Measures for Restraining the Prices of Electricity in

Short-term Sale/Trading” and comments by the Commission too were sent.

## Chapter – VI : Other Activities

### 6. Tariff for Captive Generation:

6.1. The Commission specified tariff for supply of power by CPP(s) to Discoms for peak, off-peak & normal hours of supply, under ‘Firm’ & ‘Non Firm’ power supply agreements, in Feb. 2007. Subsequently, in order to encourage the availability of surplus power from Captive Power Plants to the State, the State Government issued directives on 12.9.2008, for the purchase of power by the three Discoms, @75% of the energy charges component of prevailing tariff applicable for HT large industrial services for the months Nov. to June and @ 70% for the months July to October.

### 6.2. RERC (Metering) Regulations, 2007:

The Regulations to specify the conditions for installation and operation of meters were issued, as required at clause 5.4.8 of the National electricity Policy. The Regulations specify various activities, to be completed by the licensees, in a phased & time bound manner. As such, the Commission has directed the Discoms, vide letter dt. 9.5.2008, to ensure that provisions are complied by them in specified time frame and the progress is being continuously monitored.

### 6.3. Approval of Independent Meter Testing Laboratories:

6.3.1. The Commission approved the following, four independent, third party, meter testing laboratories for the state of Rajasthan, in terms of provisions, made under clause 5.4.9, of National Electricity Policy:

- |    |   |          |
|----|---|----------|
| 1. | M/s Secure Meters Ltd.,                           | Delhi    |
| 2. | M/s Rajasthan Electronics & Instruments Ltd.,     | Jaipur   |
| 3. | M/s Yadav Measurement Pvt. Ltd.                   | Udaipur  |
| 4. | M/s Electrical Research & Development Association | Vadodara |

6.3.2. In order to bring more number of independent meter testing laboratories, in approved list, to facilitate easy access by consumer in particular LT category of consumers, the Commission invited bids in Oct 2008. Two firms participated in the bid. However, none of the firms was having requisite documents relating, to NABL

Accreditation. Therefore, the bid was dropped. However, a provision has been made in the bid document that any laboratory possessing requisite qualification, may submit proposal for approval in January of the coming year, thus the process is continuously open, to bring more number of laboratories in the approved list.

#### **6.4. Load Despatch & System Operation Manual:-**

The State Load dispatch centre is to maintain the Rajasthan power system effectively and efficiently, in conformity with IEGC and Rajasthan Electricity Grid Code. Therefore, in terms of clause 2.1.1 of REGC, the Draft Manual was received from Adviser (LD) RVPN for approval of the Commission in Oct. 2008. The manual has been examined & discussions held with LD wing of RVPN. The modified draft is under process of approval.

#### **6.5. Investment Plan approval of RVPN & Discoms :**

The commission examined the Investment plan of RVPN for the year 2007-08 & 2008-09 and of JVVNL & JdVVNL (Distribution Companies), for the year 2008-09 and approved the same.

#### **6.6. Standards of Performance:**

6.6.1. The Commission is contemplating revision in the Standards of Performance, already provided by it in 2003 but now the 'Forum of Regulators has decided, that to maintain harmony in all ERCs of the country, it will frame the Standards of Performance. The same are awaited.

6.6.2. As per Section 59(2) of the Electricity Act, 2003, the Commission is to publish, at least once a year, the level of performance, achieved by the Distribution Companies, as provided under Section 57 of the Electricity Act, 2003. The information of Standards of Performance from the Ajmer VVNL & Jodhpur VVNL for the year 2007-08 has been received & is being examined by the Commission, for placing on the website.

6.6.3. Standard of performance of RVPN for the years 2007-08 were posted on the website of the Commission.

## 6.7. Issue of Licence:

The Commission granted Licence under Section 14 of the Electricity Act 2003 (36 of 2003) for trading in electricity to M/s Global Energy Ltd on 1.7.2008 for a period of 25 years w.e.f. 14.7.08 for 50MW.

## 6.8. Empowered Committee

6.8.1. The State Government vide order no. F. 12 (21) Energy/ 04/ pt. dated 13./15.10.2008, has constituted a State Level Empowered Committee, to encourage competition in participation and development of transmission projects in the State, by involving the private sector. In the meeting held on 16.1.2009, several decisions were taken regarding execution/implementation of Transmission schemes which, inter-alia, include,

- (1) Transmission schemes approved for XIth plan, continue to be executed by RVPN & in future, all the 132 kV works shall be carried-out by RVPN, unless it is specifically desired to be done through competitive bidding.
- (2) 400 kV & 220 kV GSS and their associated 400 kV & 220 kV lines which involve substantial investment, be considered for implementation through competitive bidding process.
- (3) RVPN shall be the nodal agency on behalf of the committee to act as Bid Process Coordinator

6.8.2. Keeping above aspects in view, the following schemes were approved, for implementation through competitive bidding:-

- (1) 400 kV S/C Bikaner-Deedwana-Ajmer Line with 400 kV/ 220 kV GSS at Deedwana.
- (2) 400 kV S/C Hindaun-Alwar line with 400/ 220 kV GSS at Alwar
- (3) 220 kV S/C Sikar (400 kV)-Nawalgarh-Jhunjhunu line with 220/132 kV GSS at Nawalgarh.

## 6.9. Coordination Forum

6.9.1. The GoR, vide its notification dated 29.1.2004 and 23.1.2008, has constituted a Co-ordination Forum, under the Chairmanship of Chairman, RERC, for smooth and coordinated development of the power system in the State. The first & second meetings took place on 22.1.2008 and 27.5.2008 respectively. During these meetings, various issues pertaining to the generation, transmission, distribution & other issues, like trading were deliberated at length. The issue of harnessing

RE power including solar was also discussed and a need of exploring possibility of competitive bidding in RE sector was felt.

#### **6.10. Forms for Tariff filing**

6.10.1. In terms of Rajasthan Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2009, the Commission approved formats for filing Aggregate Revenue Requirement (ARR) & Tariff proposals and Annual Performance Review (APR), in the Commission's 160<sup>th</sup> meeting dated 9.02.2009. The formats for generating companies, transmission licensee & distribution licensees have been specified vide Commission Order No. 5 on dated 10<sup>th</sup> February 2009.

#### **6.11. Utilizing the services of a consultant**

The Commission decided to utilize the services of a consultant to advise the Commission on preparation of Tariff Regulations and determination of Aggregate Revenue Requirement (ARR) and tariff. After following the tendering process, M/s ABPS Infrastructure Advisory Pvt. Ltd were selected for these works. As a part of their assignment, they have provided their consultancy in preparation of Tariff Regulations 2009, which were issued on 23.01.2009.

## **Chapter – VII : Policy Directives from the State Government**

### **7. Directives received from the State Government :**

7.1. The Commission has received following directives from the State Government.

#### **Directives dt 28.4.08 regarding revised Agriculture Policy**

7.1.1. The State Government issued a directive dated 28.4.08 U/s 108 (1) of the Electricity Act, 2003, stating that RERC shall be guided by the revised agriculture policy, issued by the State Government in respect of Clause No. 6, 8, 11 and 16(i), which are related with priority, period of demand notice and work order of agriculture connections.

7.1.2. As regards Agriculture Policy and amendments thereto, as per State Government directives U/s 108 of the Act. The Supply Code Regulations now contain a new clause, for timely implementation of the Govt. directive, from the date of its notification.

**7.1.3. Policy directives dated 13.5.08 for billing agricultural consumers, under "General Category" tariff, located in urban areas but getting supply in block hours.**

The State Government issued a directive, dated 13.5.08 U/s 108(1) of the Electricity Act, 2003, stating that as per 'Tariff for Supply of Electricity, 2004' of the Discoms, the agricultural category of consumers (Flat & Metered both) located in urban areas and getting supply in block hours are being released under Farm House/Special Scheme/Nursery categories and billed under the categories, other than general category agriculture tariff. It has further been stated that such agriculture consumers are required to be billed under the agriculture general category tariff. Accordingly, the State Government desired the Commission to issue instructions to convert such connections into the "General Category" tariff on completion of two years from the date of release of connections. Further the consumers who have not yet completed two years period, also to be converted into General Category after completion of 2 years.

7.1.4. The said Government directives were considered by the Commission, and it was felt that the tariff provisions are very clear where in different rates have been prescribed for different types of agriculture consumers (Flat & Metered) viz :

- (I) General category, not getting round the clock supply;
- (II) Farm House/ Special Fodder scheme, for specific purpose &
- (III) Others, getting round the clock supply.

7.1.5. Accordingly, the Commission vide letter dated 28.6.08 informed the government that it is the Agriculture Policy (para 26) under which the agriculture connections, in urban areas, are being released under the Farm House category, only chargeable on corresponding tariff. Further, the Agriculture Policy also provides at para 18, that the agriculture connections released under Farm House category in rural areas or under Special category/Fodder scheme/Nursery category are to be subsequently recategorized under General category for billing purpose, after a period of 2 years. Therefore, in case the State Government now wants to re-categorize urban connections also, after a period of 2 years, under General category, where the consumers are not getting round the clock supply, the same can be done by the State Government, by issuing necessary amendment, in the existing Agriculture Policy.

#### **7.1.6. Policy directive dated 12.9.08 for fixation of tariff for sale of power by Captive Power Plants to Rajasthan Discoms**

The State Government issued a directive dt. 12.9.08 U/s 108 (1) of the Electricity Act, 2003, stating that "Captive Power Plant may after meeting their own captive consumption, inject surplus power into the grid which shall be paid @ 75% of the energy charges component of prevailing tariff applicable for HT large industrial services for the months Nov. to June and 70% for the months July to October for supply of surplus power by Captive Power Plants in the Grid at system frequencies above 50.0 Hz, the CPPs shall be paid @ 100 paise per unit for such energy supplied. However, to maintain Grid discipline for secure and economic operation of the system, Discoms/State Load Dispatch Centre reserve the right to regulate/stop such surplus power supply from CPP's.

### **Chapter – VIII :Redressal of Public Grievances**

#### **8. Grievance Redressal by the Forums of Licensee:**

8.1. RERC first notified Regulations for Redressal of Consumer Grievances, in Nov, 2003 which provided that a consumer shall approach the District level forum of licensee for redressal of his grievance. In case the consumer Grievance is not redressed by the District level forum or he is not satisfied by the decision of the forum then he may approach the Corporate Level forum. If he is still aggrieved, he may approach the Ombudsman. In addition to above provision, the licensee has set up settlement Committees at Sub-divisional, divisional, circle, Chief Engineer and Corporate level to redress the Consumer Grievances as their Internal Grievance Redressal mechanism. However in case the Consumer is not satisfied with the decision of settlement Committees he has to follow the path of grievance redressal forum as described in above before approaching to the Ombudsman. Further in view of the provisions made in Electricity Rules notified by the Government of India in Oct. 2006 an amendment was issued in the Regulations to induct one independent member in the Grievance redressal forum to be nominated by the Commission and independent member to the Corporate level grievance Redressal forum have been nominated by the Commission. Thereafter to provide early relief to the Consumer from number of Channels & time period and also to provide an option of pre-litigative redressal of grievance through

settlement to Consumers particularly for resolving the bill related issues, the Regulation of Grievance Redressal were modified in March 2008 after following the procedure of prior publication and Conducting public hearing. The Grievance Redressal forums were designated as Grievance redressal cum settlement forum and the Consumer has right to approach the Ombudsman after exhausting channel of any one forum. The forum is required to decide the Grievance in 30 to 45 days.

## 8.2. Grievance Redressal by Ombudsman :

8.2.1. Section 42(6) of the Act provides for redressal of grievances by an Ombudsman, to be appointed or designated by the Commission. The Commission had specified RERC (Settlement of disputes by Ombudsman) Regulations, 2003, for the settlement of specified matters. The Commission, with the approval of the State Government, designated the Divisional Commissioners of Ajmer, Jaipur & Jodhpur as the Ombudsman for Ajmer Vidyut Vitran Nigam Ltd., Ajmer, Jaipur Vidyut Vitran Nigam Ltd., Jaipur and Jodhpur Vidyut Vitran Nigam Ltd., Jodhpur respectively. Ombudsmen are authorized to appoint retired Chief Engineer/SE for assistance in technical matters. Any consumer, not satisfied with the relief/ redressal, given by the forum, can approach the corporate level forum or the Ombudsman, for redressal.

The matter for appointment of whole time Ombudsman is under review.

### 8.2.2. The status of Grievances redressal by Ombudsman is as follows:-

Year: 2008-09

OMBUDSMAN	NO. OF CASES PENDING PREVIOUS F.Y	NO. OF CASES RECEIVED	NO. OF CASES SETTLED	NO. OF PENDING CASES
<u>AVVNL</u>	0	215	211	4
<u>JVVNL</u>	31	51	74	8
<u>JdVVNL</u>	0	59	58	1



## Chapter – IX : Petitions & Appeals before the Commission

### 9. Petitions & Appeals before the Commission

- 9.1. 14 petitions were pending at the beginning of the year 2008-09. During the year 22 petitions received/taken suo-moto, totaling to 36 petitions. Final orders were issued by the Commission in respect of 22 petitions, leaving 14 petitions pending for disposal at the end of the year.

#### Status of petitions pending at the beginning of 2008-09

S. No	Date of Petition	Petitioner's name & address	Subject	Petition No.	Remark/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	30-06-07	Jodhpur VVNL	Truing up of ARR FY- 06	RERC/129/07	Order issued 11.9.08
4	13-08-07	Global Energy limited	Grant of intra state trading licence	RERC/133/07	Order issued 10.6.08
5	15-09-07	RVPN, Jaipur	Investment Approval for FY 07-08	RERC/135/07	Order issued 16.4.08
6	15-10-07	AVVNL, Ajmer	Truing up of ARR FY 06	RERC/137/07	Order issued 11.9.08
7	15-10-07	JVVNL	Truing up of ARR FY – 06	RERC/139/07	Order issued 11.9.08
8	3-12-07	JdVVNL	ARR for FY 08-09	RERC/140/07	Order issued 11.9.08

9	6-12-07	Ajmer VVNL Ajmer	ARR for FY 08-09	RERC/141/07	Order issued 11.9.08
10	12-12-07	Jaipur VVNL Jaipur	ARR for FY – 08-09	RERC/142/07	Order issued 11.9.08
11	7-1-08	RVPNL	Investment Plan 2008-09	RERC/145/08	Order issued 16.4.08
12	21-1-08	Jaipur VVNL Jaipur	Revision of CPP tariff	RERC/156/08	Petition rejected on 16.10.08
13	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
14	8/2/08	Raj. Rajya Vidyut Utpadan Nigam Ltd, Jaipur	ARR & tariff 2008- 09	RERC/165/08	Order issued 28.6.08

**Status of Petitions received during year 2008-09 (As on 31/3/09)**

<b>S. No</b>	<b>Date of Petition</b>	<b>Petitioner's name &amp; address</b>	<b>Subject</b>	<b>Petition No.</b>	<b>Remark/Order issued by commission</b>
1	02.04.08	Ajmer Vidyut Vitran Nigam Ltd, Ajmer	Clarification on order dt.15.9.07	RERC/166/08	Order issued on 03/07/08
2	16.04.08	Raj. Rajya Vidyut Prasaran Nigam Ltd, Jaipur	Truing up of ARR for FY- 05, 06 & 07	RERC/167/08	Order issued on 01/08/08
3	09.05.08	M/s Gujrat Fluorochemicals	Revision of regulation for power purchase of wind energy	RERC/168/08	Order issued on 19/05/08
4	16.05.08	Kalpatru Power Transmission Ltd, Sriganganagar	Dispute regarding billing of net generation	RERC/169/08	Order issued on 30/05/08
5	30.06.08	Kalpatru Power Transmission Ltd, Sriganganagar	Review of order dated 30.5.08	RERC/170/08	Order issued on 29/07/08
6.	01.07.08	Gujrat Fluorochemicals	Review of order dated 19.5.08	RERC/171/08	Order issued on 29/07/08

7	19.08.08	Raj. Rajya Vidyut Prasaran Nigam Ltd, Jaipur	Approval of quantum of capacity to be procured	RERC/172/08	Order issued on 03/11/08
8	10.10.08	Raj. Rajya Vidyut Prasaran Nigam Ltd, Jaipur	Review of ABT regulations	RERC/173/08	Order issued on 06/11/08
9	10.12.08	Jaipur Vidyut Vitran Nigam Ltd, Jaipur	Review of Grievance Redrassal regulations	RERC/174/08	Order issued on 29/12/08
10	12.01.09	M/s Fort city minerals pvt. Ltd., Bhilwara	Petition u/s 142 of Act	RERC/175/09	Order issued on 10/02/09
11	30.01.09	Raj. Rajya Vidyut Prasaran Nigam Ltd, Jaipur	Investment Plan FY10	RERC/176/09	Pending
12	19.02.09	DCM Sriram consolidates,	Removal of Difficulties in Open Access reg.	RERC/177/09	Order issued on 18/03/09
13	27.02.09	Jaipur Vidyut Vitran Nigam Ltd, Jaipur	Amendments in Terms & conditions of Supply	RERC/178/09	Pending
14	27.02.09	Raj. Rajya Vidyut Utpadan Nigam Ltd, Jaipur	MYT for FY 10 to 14 and ARR for FY10	RERC/179/09	Pending
15	03.03.09	Jodhpur VVNL, Jodhpur	MYT for FY 10 to 14 and ARR for FY10	RERC/180/09	Pending
16	03.03.09	Jaipur Vidyut Vitran Nigam Ltd, Jaipur	MYT for FY 10 to 14 and ARR for FY10	RERC/181/09	Pending
17	04.03.09	Raj. Bio-Mass Power Association	Removal of difficulties in RERC (Tariff) regulations, 2009	RERC/182/09	Pending

18	13.03.09	Rajwest Power Ltd., Barmer	Review of RERC (Tariff) regulations, 2009	RERC/183/09	Pending
19	17.03.09	Rajwest Power Ltd., Barmer	Provisional tariff determination on alternative fuel	RERC/184/09	Pending
20	20.03.09	Ajmer Vidyut Vitran Nigam Ltd, Ajmer	MYT for FY 10 to 14 and ARR for FY10	RERC/185/09	Pending
21	26.03.09	Raj. Rajya Vidyut Prasaran Nigam Ltd, Jaipur	MYT for FY 10 to 14 and ARR for FY10	RERC/186/09	Pending
22	30.03.09	ACME tele. power	Tariff for solar power Plant	RERC/187/09	Pending

## Chapter – X :Writ Petitions & Appeals against Commission's Orders

### 10. Writ petitions/Appeals filed in the High Court :

- 10.1. The Commission's order for Renewal Energy Obligation and the Regulations, 2007 had been challenged in Hon'ble High Court by certain CPP owner. The Stay has been granted by Court.
- 10.2. The recovery proposed by Discoms after issue of clarification by RERC for the provision relating to power factor incentive & surcharges has been challenged by Rajasthan Steel Chambers. Discom's are primary party. Recently 20 to 25 Nos. of other industries has also filed case in High Court.

S.No.	Petitioner	Writ Petition/Appeal No.	Subject Reference
1	M/s Shree Cement Ltd	CW 5128/2007	Against RE Obligations Regulations 2007
2	M/sDCM Shriram Consolidated Ltd	CW 5270/2007	Against RE Obligations Regulations 2007
3	Rajasthan Textile Mills Association	CW 2850/2007	Against RE Obligations Regulations 2007
4	RAJ STEEL CHAMBERS & 19 Nos. of similar cases.	CW 429/2008	Order of the Comml. wing of the licensee, JVVNL regarding recovery of P.F incentive.

5	M/s Binani Cement Ltd	CW 5151/2008	Against RE Obligations Regulations 2007
6	M/s J.K. Lakshmi Cement Ltd.	CW 11285/2008	Against RE Obligations Regulations 2007
7	M/s Aditya Cement Ltd.	CW 11288/2008	Against RE Obligations Regulations 2007
8	M/s HZL	2034/2008	Against RERC(Terms & Condition of Open Access Regulation, 2004)
9	M/s HZL	2532/2008	Against RERC(Terms & Condition of Open Access Regulation, 2004)

10.3. As per Electricity Act, 2003 all appeals against the Commission orders are to be filed before the Appellate Tribunal for Electricity established by the Central Govt. u/s 110 of the Act.

10.4. **Appeals filed in the Appellate Tribunal for the Electricity:**

The status of the cases pending/dealt during the year is as follows

S. No.	Appeal No. of the Tribunal	Applicants & Respondents	Commission Order, Act Reference & Subject of Appeal	Present Status
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	Pending in the Appellate Tribunal
3	99 of 2008	Hindustan Zinc V/s RERC & others	To quash the impugned order dated 3.7.2008 passed by the Commission & treat it perspectively.	The Appellate Tribunal set aside the impugned order & dismissed the petition no. 166 of 2007 filed before the Commission

## Chapter – XI : State Advisory Committee

### 11. State Advisory Committee Meetings :

- 11.1. The 7<sup>th</sup> & 8<sup>th</sup> Meeting of the State Advisory Committee were held on 31<sup>st</sup> May, 2008 & 5<sup>th</sup> December, 2008, respectively.
- 11.2. The Commission vide order dated 31.3.09, constituted the State Advisory Committee, according to RERC (State Advisory Committee) Regulations, 2009. The term of the committee is two years w.e.f. 1<sup>st</sup> April 2009.
- 11.3. The composition of the Committee has been indicated at Annexure- I

## Chapter – XII : FOIR/FOR Meetings

### 12. Forum of Indian Regulators :

- 12.1. The Commission is a Member of the Forum of Indian Regulators (FOIR) of which the Central Electricity Regulatory Commission and 18 other State 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, Members and Secretary of the Commission, being Members, have been participating in the meetings of the FOIR.

### 12.2. Forum of Regulators:

- 12.2.1. 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.

## Chapter – XIII : Administrative Matters

### 13. Commission Website :

- 13.1. The website of the Commission [www.erc.gov.in](http://www.erc.gov.in) is hosted & maintained by M/s.Rajcomp, Jaipur. The website is updated from time to time.

13.2. **Promotion of Officer :**

S.No	Name	Designation		Date of Promotion	Order No. & Date
		Before promotion	After promotion		
1.	Sh. Davendra Kumar Mathur	Personal Assistant	Sr. Personal Assistant	06.03.2009	1304 06.03.2009

13.3. **Absorption of Officer in the Commission:**

S.No	Name	Designation		Date of Absorption	Order No. & Date
		Before Absorption	After Absorption		
1.	Sh. Jitendra Singh	Jt. Secretary (Technical)	Jt. Secretary (Technical)	16.06.2003	835/ 14.11.2008

13.4. **Sanctioned/Working Strength :**

13.4.1. The sanctioned and working strength of the Commission as on 31.3.09 is as follows :

S.N.	Name of Post	No. of Sanctioned Post	Working
1	Secretary	1	1
2	Special Secretary	2	2
3	Joint Secretary	3	3
4	Dy. Secretary(Fin.)	1	-
5	Dy. Secretary	5	3
6	T.A. to Chairman	1	-
7	Sr. Economic Analyst	1	-
8	Asstt. Secretary	7	5
9	P.S. to Chairman	1	1
10	Sr. P.A.	2	2
11	P.A.	3	1
12	Accountant	1	1
13	Legal Assistant	1	-
14	Executive Assistant (Technical)	4	4
15	Junior Accountant	1	-

16	Steno –cum Computer Operator	6	3
17	Store Keeper, Cashier, Librarian	2	2
18	Establishment RD Clerk (LDC)	3	2
19	Vehicle Driver	2	1
20	Class -IV	8	6
<b>Total</b>		55	37

### 13.5. Human Resource Development

13.5.1. The Commission is fully aware of the present need for 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. So far, fourteen officers participated in 11 seminars / workshops. Apart from this, Sh. K.L.Vyas, Member (Technical), RERC, as nominated by the Government of India, has visited San Francisco, California, USA to participate in the Asia Pacific Partnership on Clean Development and Climate w.e.f.2<sup>nd</sup> March, 2009 to 6<sup>th</sup> March, 2009.

### 13.6. Meetings of the Commission:

13.6.1. During the year 2008-09, the Commission held 19 Meetings besides, many informal sittings, for performing its functions.

## Chapter –XIV : Budget and Fund

### 14. Budget & Fund of the Commission :

14.1. The accounts for the year 2008-09 are under finalization. For this year, a budgetary provision of Rs. 416.00 lacs was approved by the Commission, against which estimated expenditure would be Rs. 412.51 lacs. The Commission received a sum of Rs. 818.81 lacs, during the year 2008-09, towards fee and other misc. income with the following break-up :

S.No.	Item	Amount (Rs. In lacs)
1.	Fee for License	463.41
2.	Fee for petition	327.40
3.	Other Charges	28.00



14.2. The Commission is transferring the taxable excess over the expenditure into a building fund to be used for construction/purchase of its own building. The accumulation in the building fund as on 31.3.09 is estimated at Rs. 4.98 Crores (Provisional). Besides the Commission has transferred the following amount out of its revenue during the year 2008-09 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 31.3.09
1.	RERC Pension Fund Trust	14693154	18390506
2.	RERC Gratuity Trust	2712213	3336362

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**Annexure - I**  
**List of Members of the State Advisory Committee**

S. No.	Name/ Designation of the Member
1	Chairman, RERC
2	Member (Fin.), RERC
3	Member (Tech.), RERC
4	Secretary to the Govt. Energy Department, Government of Rajasthan, Govt. Secretariat, Jaipur
5	Principal Secretary/ Secretary & Ex officio Commissioner, Food, Civil Supplies & Consumer Affairs Deptt, Govt. Secretariat, Jaipur,
6	The Chairman & Managing Director, Rajasthan Vidyut Prasaran Nigam Limited
7	The Chairman & Managing Director, Rajasthan Rajya Vidyut Utpadan Nigam Limited
8	The Chairman & Managing Director, Jaipur Vidyut Vitran Nigam Ltd.
9	The Managing Director, Ajmer Vidyut Vitran Nigam Ltd.
10	The Managing Director, Jodhpur Vidyut Vitran Nigam Ltd.
11	The Chairman & Managing Director, Rajasthan Renewable Energy Corporation
12	Sh. Shanti Prasad, Ex- Chairman, RERC 41 A, RSEB Officers Colony, D – Block, Vaishali Nagar, Jaipur
13	Shri P.N. Bhandari, IAS (Retd.), 307-309, Ganpti Plaza, M.I. Road, Jaipur
14	Sh. D.S. Agrawal Rudraksh Energy, R- 15-A, Yudhishtar Marg, C- Scheme, Jaipur
15	Dr. K.L. Jain Honorary Secretary, Raj. Chamber of Commerce & Ind., Rajasthan Chamber Bhawan, M.I. Road, Jaipur
16	Secretary General Consumer Unity & Trust Society, ('CUTS'), Marg, Bani Park Jaipur
17	Labour Commissioner, Government of Rajasthan, Shanti Nagar, Hasanpura, Jaipur
18	Chief Electrical (General) Engineer, North West Railways, Jaipur
19	<u>Commissioner/ Director</u> <u>Department of Agriculture, Government of Rajasthan, Pant Krishi Bhawan, Bhagwan</u> <u>Das Road, Jaipur</u>

