

# **RAJASTHAN ELECTRICITY REGULATORY COMMISSION**

## **Draft Rajasthan Electricity Regulatory Commission (Fee) Regulations, 2018**

### **Explanatory Memorandum**

Dated: ---August, 2018

#### **Introduction**

In exercise of powers conferred under Section 86(1)(g) read with Section 181 of the Electricity Act, 2003, the Commission had notified the "Rajasthan Electricity Regulatory Commission (Fees for Petitions) Regulations, 2005" ('Existing Regulations'). These Regulations specify the Fee payable to the Commission for different types of Petitions/Applications made and Licences granted by the Commission under the provisions of the Act and the relevant Rules and Regulations.

The Existing Regulations were amended from time to time. The Commission has now decided to review and rationalise the Fee considering the developments in the power sector and the nature of the work involved on the part of the Commission. The Commission has also stressed to provide greater clarity and ease of implementation while framing the draft. As the outcome of this review, the Commission has published draft of the proposed Fee Regulations, 2018 ('Proposed Regulations') seeking comments from stake-holders and the general public.

In the draft Regulations, for the convenience of Licensees/Petitioners, Commission introduce the on-line mode of payment for fee i.e. through Real Time Gross Settlement (RTGS) or through National Electronic Fund Transfer (NEFT) and persons making payment of fee through RTGS/NEFT.

In order to rationalize and simplify the provisions of the Regulations, Commission has proposed the fee payable for various Petition/Application.

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## **Notification**

Jaipur, , 2018

**No: RERC/Secy/** - In exercise of the powers conferred under Section 181 read with Section 64(1) and 86(1) (g) of the Electricity Act, 2003 and all powers enabling it in that behalf, the Rajasthan Electricity Regulatory Commission, hereby makes the following Regulations, namely;

### **1. Short title and commencement**

- (1) These Regulations may be called the Rajasthan Electricity Regulatory Commission **(Fee)** Regulations, 2018.
- (2) They shall come into force on the date of their publication in the official gazette.

### **2. Definitions**

In these Regulations, the words and expressions used shall bear the same meaning as in the Electricity Act, 2003 (the Act, in short) or other Regulations issued by the Commission or any other law for the time being in force.

### **3. Fee**

- (1) Every petition/application made to the Commission shall be accompanied by the Fee specified in the Schedule to these Regulations. Several persons having similar but separate and distinct interest or cause of action in the subject matter of controversy involving common question of law and facts may file a common petition but each Petitioner shall pay separate fee.
- (2) Every Licensee/Deemed Licensee shall pay the Annual Licence fee as specified in the Schedule to these Regulations for every ensuing year in advance by 31<sup>st</sup> March of the current financial year. However, for any delay in remitting Annual Licence fee, interest at the prevailing bank rate plus 2% for the period of delay shall be charged.
- (3) All fee are payable at Jaipur by means of a crossed demand draft/pay order drawn in favour of Secretary, Rajasthan Electricity Regulatory Commission.

Provided that fee may also be paid through Real Time Gross Settlement (RTGS) or through National Electronic Fund Transfer (NEFT) and persons making payment of fee through RTGS/NEFT shall submit the details of remittance.

Provided that, the fee upto Rs. 10,000/- may be accepted in cash also.

- (4) The Commission shall issue a receipt for the fee paid.
- (5) The Commission may, if it considers fit, refund/adjust full or part of the fee, payable under these regulations, by order recording reasons thereof.

**4. Power to amend**

The Commission may, at any time, vary, alter, modify or amend any provisions of these Regulations.

**5. Repeal**

The Rajasthan Electricity Regulatory Commission (Fee for Petitions) Regulations 2005, as amended from time to time, shall stand repealed from the date of coming into force of these Regulations.

By Order of the Commission

Secretary

**Schedule of Fee Structure**

S No.	Nature of petition/application	Fees
1	Petition for ARR and/or determination of provisional/final tariff for generating stations	
(a)	Conventional fuel based generating station	Rs. 5000/- (Rs. Five thousand) per MW or part thereof of generation capacity subject to minimum of Rs. One lakh for each generating station
(b)	Non-conventional and renewable sources of energy including co-generation based generating station	Rs. 1000/- (Rs. One thousand) per MW or part thereof of generation capacity subject to minimum of Rs. 20,000/- (Rs. Twenty thousand) for each generating station.
2	Petition seeking 'in principle' clearance of capital cost of generating station established by a person intending to own, operate and maintain generating station.	
(a)	Conventional fuel based generating station	Rs. 2500/- (Rs. Two thousand five hundred) per MW or part thereof of generation capacity subject to minimum of Rs. one lakh for each generating station.
(b)	Non-conventional and renewable energy sources including cogeneration based generating station.	Rs. 500/- (Rs. Five hundred) per MW or part thereof of generation capacity subject to minimum of Rs. 20,000/- (Rs. Twenty thousand) for each generating station.
3	Petition for approval relating to competitive bidding process for procurement of power	
(a)	Bidding documents	Rs. 5000/- (Rs. Five thousand) per MW or part thereof of generation capacity subject to minimum of Rs. One lakh for each case.
(b)	Deviation in guidelines/Standard Bid Document	Rs. 50,000 (Rs. Fifty thousand) for each case
4	Petition seeking provisional/final transfer price of fuel from captive mine block to generating station.	Rs.15 lakhs for each mine block
5	Application for grant of licence/amendment/revocation of licence under the Electricity Act, 2003	Same fee as prescribed by the State Government for application for grant of licence
6	Annual Licence Fee:	
(a)	Transmission Licensee/ Deemed Transmission Licensee	Rs. 1250/MW of transmission capacity as

S No.	Nature of petition/application	Fees
(b)	Distribution Licensee/ Deemed Distribution Licensee	<p>approved in the ARR of the ensuing year or part thereof subject to minimum of Rs. 10 lacs.</p> <p>0.060 paisa per unit of energy purchased and generated approved in the ARR of the ensuing year subject to minimum of Rs. 5 lacs.</p> <p>Provided that if the ARR of ensuing financial year is not decided by the Commission by 15<sup>th</sup> March of the current year, the licence fee shall be calculated based on the data contained in the ARR filed by the licensee subject to adjustment in the next year's fee as per ARR finally approved.</p>
(c)	Trading Licensee	As specified in RERC (Licensing of Trading) Regulations 2004)
7	Interlocutory Application	Rs. 10,000/- (Rs. Ten thousand)
8	Issue of certified copies of documents/orders of the Commission	Rs. 2/- per page
9	Any other petition or application including Review petition	
(a)	By Generating Company/ licensee/SLDC	1. Rs. 25,000/- (Rs. Twenty five thousand)
(b)	By Institution/ Organisation / Company (Limited, Private Limited, Partnership, Proprietorship)	2. Rs. 10000/- (Rs. Ten thousand)
(c)	By Individual Consumer	3. Rs. 1000/- (Rs. One thousand )

Note:

Fees specified at Sl. No. 9 will be applied for those petitions/applications which are not specifically covered at S. No. 1 to 8.

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