**CHHATTISGARH STATE ELECTRICITY REGULATORY COMMISSION**

**RAIPUR**

Jindal Steel & Power Limited (JSPL-D) ...... P. No. 101 of 2023

**Present:** **Hemant Verma, Chairperson**
**Pramod Kumar Gupta, Member**

**In the matter of –**

1. Truing up of FY 2022-23;
2. Determination of ARR and Retail Tariff for the FY 2024-25;

ORDER

**(Passed on 10/05/2024)**

This Order is passed in respect of the Petition filed by M/s Jindal Steel & Power Limited (JSPL), a Distribution Licensee, for truing up for FY 2022-23, revised estimate for FY 2023-24 and determination of ARR and Retail Tariff for FY 2024-25.

2. As per provisions of the Electricity Act, 2003 (hereinafter referred as 'the Act'), the Commission had notified the Chhattisgarh State Electricity Regulatory Commission (Terms and Conditions for determination of Tariff according to Multi-Year Tariff principles and Methodology and Procedure for determination of Expected revenue from Tariff and Charges) Regulations, 2021 (hereinafter referred as 'CSERC MYT Regulations, 2021') for determination of tariff for the Generating Company,

Licensees, and CSLDC, the same is applicable for truing up for FY 2022-23 and determination of ARR and Retail Tariff for FY 2024-25 in the present petition.

3. As per provisions of the Electricity Act, 2003 (hereinafter referred as 'the Act') and the Tariff Policy, the Commission had notified the Chhattisgarh State Electricity Regulatory Commission (Terms and Conditions for determination of Tariff according to Multi-Year Tariff principles and Methodology and Procedure for determination of Expected revenue from Tariff and Charges) (First Amendment) Regulations, 2023, for determination of tariff for the Generating Company, Licensees, and CSLDC. These Regulations were effective from April 1, 2023.

4. A Public Notice along with the gist of the Petition was published in the newspapers for inviting objections/suggestions as per the procedure laid down in the Regulations. The Commission conducted Public Hearing on the Petition on 13/03/2024.

5. During hearing, consumers of JSPL-D filed their objections/suggestions. Objections/suggestions filed by consumers of JSPL-D have been dealt in chapter-2 of this order. Petitioner JSPL-D during hearing, has requested the Commission to allow them to file additional submission and same was filed on 08/04/2024. No objection/suggestion was filed in response to the additional submission.

6. In the objections/suggestions, Consumers of JSPL-D requested the Commission not to carry out true-up of FY 2022-23 as the matter is sub-judice and continue the tariff of FY 2023-24 in FY 2024-25. In additional submission, JSPL-D submitted that if cumulative revenue gap of past period will be considered then the average cost of supply (ACOS) will come around Rs 7.89 per kWh. This ACOS will give burden to the consumers of JSPL-D. Therefore, for the benefit of the consumers, JSPL-D requested the Commission to allow ACOS of Rs. 5.60 per kWh for the FY 2024-25 and allow balance cumulative gap in subsequent years. The Commission considering the above submissions and view taken by the Commission in order dated 10.01.2024, has not undertaken true-up for FY 2022-23 as the matter of truing up of past period is sub-judice before Hon'ble APTEL and truing up of past period will be carried out after issue of the order by Hon'ble APTEL.

7. For FY 2024-25, the Commission has estimated energy sales of 1388.43 MU as projected by JSPL-D.

8. In additional submission dated 08/04/2024, JSPL-D has proposed to provide load factor rebate of 10% on energy charge for consuming energy above 75% of load factor. Therefore,

9. the consumers of HV category shall be eligible for load factor rebate of 10% on energy charge calculated on entire energy consumption for consumption above monthly load factor of 75%. However, revenue gap arising due to load factor rebate shall not be passed on to consumers.

10. For FY 2024-25, JSPL-D has sought approval for ARR of Rs. 770.44 Crore. As against this, the Commission after prudence check and due scrutiny, has approved the ARR of Rs. 765.71 Crore. Thus, the stand alone average cost of supply for FY 2024-25 works out to be Rs. 5.51/kWh.

11. Accordingly, the Commission has fixed the retail tariff for FY 2024-25 and the same is given in the tariff schedule chapter.

12. The Order will be applicable from May 01, 2024 and will remain in force till March 31, 2025 or till the issue of the next Tariff Order, whichever is later.

13. The Commission directs JSPL-D to take appropriate steps to implement the Tariff Order.

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|---|---|
| **Sd/-** | **Sd/-** |
| **(PRAMOD KUMAR GUPTA)** | **(HEMANT VERMA)** |
| **MEMBER** | **CHAIRPERSON** |

## LIST OF ABBREVIATIONS

| Abbreviation | Description |
|---|---|
| A&G | Administrative and General |
| ABR | Average Billing Rate |
| ACoS | Average Cost of Supply |
| AFC | Annual Fixed Charges |
| APTEL | Appellate Tribunal of Electricity |
| ARR | Aggregate Revenue Requirement |
| CAGR | Compounded Annual Growth Rate |
| CIP | Capital Investment Plan |
| COD | Date of Commercial Operation |
| CPI | Consumer Price Index |
| CSD | Consumer Security Deposit |
| CSERC | Chhattisgarh State Electricity Regulatory Commission |
| CSLDC | Chhattisgarh State Load Despatch Centre |
| CSPDCL | Chhattisgarh State Power Distribution Company Limited |
| DISCOM | Distribution Company |
| DPS | Delayed Payment Surcharge |
| EA or Act | Electricity Act, 2003 |
| FY | Financial Year |
| GFA | Gross Fixed Assets |
| GoI | Government of India |
| HPO | Hydro Purchase Obligation |
| HR | Human Resource |
| HT | High Tension |
| HUDCO | Housing and Urban Development Corporation Limited |
| HV | High Voltage |
| IoWC | Interest on Working Capital |
| JSPL-D | Jindal Steel and Power Ltd. - Distribution Company |
| JSPL-T | Jindal Steel and Power Ltd. - Transmission Company |
| kV | kilo Volt |
| kVA | kilo Volt-Ampere |
| kW | kilo Watt |
| kWh | kilo Watt-hour |

| Abbreviation | Description |
|---|---|
| LV | Low Voltage |
| M&G | Maintenance and General |
| MAT | Minimum Alternative Tax |
| MCLR | Marginal Cost of Funds based Lending Rate |
| MMC | Monthly Minimum Charges |
| MU | Million Units |
| MYT | Multi Year Tariff |
| NEP | National Electricity Policy |
| NPV | Net Present Value |
| NSPCL | NTPC-SAIL Power Company Limited |
| NTI | Non-Tariff Income |
| O&M | Operation and Maintenance |
| R&M | Repair and Maintenance |
| RBI | Reserve Bank of India |
| RE | Renewable Energy |
| REC | Renewable Energy Certificate |
| RoE | Return on Equity |
| RPO | Renewable Purchase Obligation |
| Rs. | Rupees |
| SBI | State Bank of India |
| SLDC | State Load Despatch Centre |
| SLM | Straight Line Method |
| STU | State Transmission Utility |
| T&D Loss | Transmission and Distribution Loss |
| ToD | Time of Day |
| TVS | Technical Validation Session |
| WPI | Wholesale Price Index |
| YoY | Year-on-Year |

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# 1 BACKGROUND AND BRIEF HISTORY

## 1.1 Background

Jindal Steel and Power Limited **("JSPL-D")** has been issued a Distribution Licence, under Section 14 of the Electricity Act, 2003 in the area of O.P.Jindal Industrial Park **("JIP"),** Tumdih and Punjipathra villages of Gharghoda Tehsil of Raigarh District in the State of Chhattisgarh.

JSPL-D filed the present petition for Truing up for FY 2022-23, revised ARR for FY 2023-24 and determination of ARR & Retail Tariff for FY 2024-25.

## 1.2 The Electricity Act, 2003, Tariff Policy and Regulations

Section 61 of the Electricity Act, 2003 (herein after referred as 'the EA, 2003' or 'the Act') stipulates the guiding principles for determination of tariff by the Commission and mandates that the tariff should progressively reflect the cost of supply of electricity, reduce cross subsidy, safeguard consumers interest and recover the cost of electricity in a reasonable manner. This Section also stipulates that the Commission while framing the Tariff Regulations shall be guided by the principles and methodologies specified by the Central Electricity Regulatory Commission for determination of the tariff applicable to generating companies and transmission licensees.

Section 62 of the Act stipulates that the Commission shall determine the tariff for:

- Supply of electricity by a Generating Company to a Distribution Licensee;
- Transmission of electricity;
- Wheeling of electricity; and
- Retail sale of electricity.

The Tariff Policy notified by the Government of India in January 2006, as well as the amended Tariff Policy notified in January 2016, provides the framework to balance the conflicting objectives of attracting investments to ensure availability of quality power and protecting the interest of consumers by ensuring that the electricity tariffs are affordable. As per provisions of the Act and the Tariff Policy, the Commission notified the Chhattisgarh State Electricity Regulatory Commission (Terms and Conditions for determination of tariff according to Multi-Year Tariff principles and Methodology and Procedure for determination of Expected revenue from Tariff and Charges) Regulations, 2021 ("CSERC Tariff Regulations, 2021") and Chhattisgarh

State Electricity Regulatory Commission (Terms and Conditions for determination of tariff according to Multi-Year Tariff principles and Methodology and Procedure for determination of Expected revenue from Tariff and Charges) (First Amendment) Regulations, 2023. The same is applicable for determination of ARR and retail tariff for FY 2024-25 in the present case.

### 1.3 Procedural History

The Distribution Licence was issued to JSPL with the condition that the Licensee shall supply electricity at a provisional rate of Rs. 2.50 per kWh or at the supply rate of the CSPDCL, whichever is lower, till the tariff for supply is determined by the Commission. JSPL-D was also directed to file the necessary application under Section 64 of the Electricity Act, 2003 ("the Act" or "EA 2003") and Regulation 10 of the CSERC (details to be furnished by licensee or a generating company for determination of tariff and manner of making application) Regulations, 2004 before the Commission on or before 31.03.2006. JSPL-D did not file the Tariff Petition for FY 2005-06 and 2006-07 as stipulated in the licence conditions and instead filed Petition No. 28 of 2006 on 28.06.2006 before the Commission seeking permission to file Tariff Petition only for FY 2007-08 and claimed that it has not been possible for them to segregate the Accounts for the distribution business as required under the Act. The Commission, vide order dated 17.07.2006, allowed the Petition partly and directed that the retail tariff of Rs. 2.50/kWh shall be operative till the Commission determines retail tariff on the basis of the Application filed by the Licensee and also directed JSPL-D to submit the application for determination of tariff for FY 2007-08 by end of November 2006 as required under the Tariff Regulations.

JSPL-D filed a Review Petition No. 33 of 2006 on the Order dated 17.07.2006, which was disposed of by the Commission vide Order dated 29.01.2007. In 2007, JSPL-D filed Appeal No. 34 of 2007 before the Hon'ble Appellate Tribunal for Electricity (APTEL) under Section 111 of the Act against the Order dated 17.07.2006 and 29.01.2007.

The Hon'ble APTEL vide Order dated 04.10.2007 dismissed the Appeal No. 34 of 2007 filed by JSPL-D and inter-alia observed that

> "*we would like to point out that so far JSPL has not filed any application for determination of its tariff as directed by the CSERC. The appellant, JSPL had set up the plea that it is not possible to segregate its accounts for distribution*

*business and steel business. The contention was rightly rejected by the CSERC.*"

In 2009, JSPL-D filed its first Tariff Petition No. 17 of 2009(T) without segregated accounts after 41 months of grant of Distribution Licence.

The Commission fixed the tariff as Rs. 2.50 per kWh for the existing consumers of JSPL-D having subsisting agreement and for other consumers, the maximum ceiling tariff of respective categories of CSPDCL was allowed to be charged, vide Order dated 27.06.2009, by applying the provision of Section 62 (1) of the Act. In the said Order, the Commission directed JSPL-D to submit the next Tariff Petition at the end of November 2009 with complete information based on separate accounts of licensed business.

In 2010, the order was passed for approval of power procurement plan of JSPL-D for FY 2010-11. JSPL-D was provisionally permitted to procure power from Jindal Power Limited (JPL) during FY 2010-11 at the maximum rate of Rs. 3.00 per kWh.

The order was passed on 08.02.2012 on the Petition No. 06 of 2011(T). In this Order, the ARR for FY 2010-11 and FY 2011-12 and Tariff for FY 2011-12 was determined with Provisional True-up of FY 2009-10, since the segregated accounts for the distribution business were not furnished by JSPL-D.

JSPL-D submitted Petition No.39 of 2012 for True-up of FY 2011-12 on 12.07.2012 claiming that it has segregated the financial accounts for the licensed business of distribution and retail supply of electricity from other business segments of JSPL. The Commission disposed the Petition No. 39 of 2012 vide order dated 10.07.2013 and issued Provisional True-up order for FY 2011-12 as the Commission rejected the accounts filed by JSPL-D on the grounds that there is no opinion expressed by the JSPL auditors' regarding the accounts and only an extraction certificate by the auditor is provided with the accounts and hence, final True-up cannot be done in the absence of the segregated financial accounts for licensed business of distribution and retail supply of electricity.

JSPL-D filed Petition No. 55 of 2012 for determination of ARR for the distribution business for FY 2013-14 to 2015-16 and the Commission again disposed the Petition No. 55 of 2012 on the ground that JSPL-D was unable to provide audited segregated accounts for any of the previous years. The Commission issued the MYT Order on 12.07.2013 for FY 2013-14 to FY 2015-16 considering the same GFA of Rs. 22.35

Crore and based on its prudence check and judgement as done in the Tariff Orders for FY 2011-12 and FY 2012-13.

JSPL-D filed a Petition for determination of Tariff for FY 2014-15 along with revised estimates of Multi Year Aggregate Revenue Requirement (ARR) for the licensed distribution business for the Control Period from FY 2013-14 to FY 2015-16 and true up of ARR for FY 2012-13 on 20.01.2014. However, prior to the Commission's order on the above-mentioned Petition, the Hon'ble APTEL passed its Order on 07.03.2014 in Appeal No. 89 of 2012.

This Order was passed in response to an Appeal filed by the Raigarh Ispat Udyog Sangh ("RIUS") against the Tariff Order dated 08.02.2012. In this Order, the Hon'ble APTEL gave the following directions to the Commission:

a) To examine the pattern of surplus power available from the captive power plant after meeting the requirement of captive load of the Steel Plant and re-determine the power purchase cost of captive power plant of JSPL;

b) Not to pass on the burden on account of delay in filing of the Tariff Petition by Jindal Steel to the consumers in the form of increase in tariff due to carrying cost;

c) Not to entertain any Petition of Jindal Steel for enhancement of tariff in the event of failure to submit the segregated audited accounts as per the directions of the State Commission in future.

Post the judgment of Hon'ble APTEL, the Commission passed the Tariff Order dated 23.12.2014 for FY 2014-15 in which JSPL-D was directed to file the Petition for ARR and retail tariff for FY 2015-16 along with the segregated audited accounts, since the date of issue of the licence for true up of ARR of previous years and to file an application for determination of tariff of its captive power plants since the financial year from which it has charged the Commission's determined tariff to its consumers in OPJIP. In the same Order, the Commission fixed a tariff of Rs. 2.50 per kWh with effect from 1$^{st}$ January 2015 subject to the condition that the same shall be adjusted retrospectively on either side after truing up of the ARR.

JSPL-D filed a Review Petition against this Order requesting the Commission to review the Order in view of the following submissions:

a) Direct that the tariff to be charged by the Petitioner with effect from 01.01.2015 has to be in terms of the Order dated 12.07.2013 passed in the Petition No. 55 of 2012 (T), till the final true-up and petition for ARR for FY 2015-16 is decided;

b) Direct that the Petitioner is not at all obliged to strictly adhere to the sources of power as indicated either in the application made for grant of the distribution licence or the Order dated 29.09.2005 granting distribution licence to the Petitioner, for supply to the OPJIP consumers.

c) Direct that there is no obligation of the Petitioner to supply power to OPJIP consumers from the Dongamahua Captive Power Plant (DCPP);

d) Direct that the surplus power to be calculated, in the event the Petitioner chooses to source power to the OPJIP consumers from the Captive Power Plant, is to be calculated post meeting the minimum 51% captive consumption criteria as per Rule 3 of the Electricity Rules, 2005, and any other firm agreement with a third party.

The Commission, vide order dated 01.10.2015, rejected the plea of the Petitioner and directed JSPL to file the Petition for determination of cost of generation of its captive power plant for FY 2009-10 and onwards at the earliest. JSPL-D filed Appeal No. 100 of 2016 on 19.11.2015 before the Hon'ble APTEL against the Order dated 23.12.2014 and 01.10.2015. The said Appeal has been disposed by the Hon'ble APTEL vide its Judgement dated 06.05.2022.

JSPL-D submitted that JPL had intimated on 15.03.2016 regarding its inability to supply power to JSPL's Distribution business after 31.03.2016 at the rate approved by the Commission, which was further communicated to the Commission on 30.03.2016. JSPL-D requested the Commission to allow sourcing power from DCPP till such time that long-term source of power was not available. JSPL-D further submitted that as a Distribution Licensee, it is free to source power from anywhere and is not obligated to supply power from any fixed source (RCPP or DCPP). However, the Commission vide Letter No. 62 dated 31.03.2016 dismissed the application filed by JSPL-D and advised JSPL-D to file a Petition for determination of tariff after complying with the directives given by the Hon'ble APTEL in its Judgment dated 07.03.14 in Appeal No. 89 of 2012 and Order dated 23.12.14 passed in Petition No.12 of 2014(T) by the Commission.

During the pendency of the dispute, the supply to the industrial consumers was disconnected. Hence, the Commission issued Notice dated 13.04.2016 to JSPL on RIUS's representation dated 07.04.2016 seeking JSPL's response / report with respect to disconnection of power supply at JIP without following the laws and rules for disconnection of power supply by a Distribution Licensee.

Subsequently, the Hon'ble High Court of Chhattisgarh, Bilaspur vide order dated 13.04.2016 in W.P.(C) No. 940 of 2016 stayed the letter dated 31/3/2016 issued by the Commission and passed an interim order whereby JSPL-D, the distribution licensee was entitled to supply electricity to the petitioners from DCPP at Rs. 4.20 per unit as an interim arrangement subject to final adjudication before the appellate authority. Therefore, from 15.04.2016, JSPL-D supplied power to the consumers in the licence area from DCPP on the basis of permission granted by the Hon'ble High Court of Chhattisgarh in W.P.(C) No. 940 of 2016. It has purchased 125.88 MU from DCPP (01.04.2018 to 31.05.2018) and 875.89 MU from Alternate sources (01.06.2018 to 31.03.2019).

JSPL-D also submitted the Petition for determination of tariff for FY 2015-16 along with revised estimates for the Control Period from FY 2013-14 to FY 2015-16 and true up of ARR for FY 2012-13 on 03.03.2015. The Commission vide its Letter No. 567 dated 18.03.2015 sought additional information in respect of the Petition filed for approval of ARR for FY 2015-16. The additional information pertained to:

> *"year-wise bank account statement in support of bank transaction in order to ascertain revenue vis-à-vis expenditure, cash book in support of cash transaction and detail of common expenses of distribution business/other businesses, the allocation matrix an justification towards based used for allocation of common expenses to distribution business vis-à-vis other business"*

The Commission returned the Tariff Petition for the Control Period between FY 2013-14 to FY 2015-16 for determination of tariff for FY 2015-16 along with the revised estimates of ARR for FY 2014-15 and true-up of ARR for FY 2012-13 and FY 2013-14 (For Distribution Business)" vide its Letter dated 18.02.2016 stating that the information submitted by JSPL-D with reference to the Letter No. 567 dated 18.03.2015 was inadequate for true-up and determination of ARR, therefore, it cannot proceed ahead on the basis of material produced by JSPL-D in the said Petition. Similarly, the Commission returned the Petition on dated 30.11.2015 for MYT

Control Period from FY 2016-17 to FY 2020-21 for determination of tariff for FY 2016-17 along with revised estimates of ARR for FY 2015-16 and true up of ARR for FY 2012-13, FY 2013-14, and FY 2014-15 of JSPL-D vide Letter dated 10.03.2016 stating that the information submitted by JSPL-D was inadequate for true-up and determination of ARR, therefore, it cannot proceed ahead on the basis of material produced by JSPL-D in the said Petition.

Considering the above rejection, JSPL-D vide letter dated 29.11.2016 requested the Commission to relax the timeline for filing the Tariff Petition for FY 2017-18 as Appeal No. 72/2016 and 100/2016 are under adjudication before the Hon'ble APTEL.

JSPL-D submitted two Petitions on 22.01.2018, the details of which are provided below:

a.) Petition for the Control Period from FY 2016-17 to FY 2020-21 for determination of ARR for FY 2017-18 along with Multi Year ARR for the Control Period.

b.) Petition for the Control Period from FY 2016-17 to FY 2020-21 for determination of tariff for FY 2018-19 along with revised estimated ARR for FY 2017-18 and true up of ARR for FY 2016-17.

The Commission vide its Order dated 15.02.2018 returned both the Petitions directing JSPL-D to file the petition for ARR and Tariff for FY 2018-19 along with true-up for FY 2010-11 to FY 2016-17.

JSPL-D has submitted the combined true-up ARR for FY 2012-13 to FY 2016-17 in Petition No. 62 of 2018.

On 30.06.2018, RIUS and JSPL-D entered into an Agreement to resolve all past disputes and to continue supplying power to the consumers of OPJIP. As per the term sheet of the Agreement, the tariff applicable is as follows:

> *"Published tariff of CSPDCL applicable for similar industrial consumers less 25% (on demand and normal energy charge) subject to a minimum tariff of Rs. 4.00 per kWh after all adjustments."*

Also, members of the RIUS, other consumers and JSPL-D have mutually signed the Agreement and decided to withdraw their respective cases sub-judice before the Hon'ble APTEL and Hon'ble High Court. However, the Commission observed that since, the matter related to power supply to the consumers of JIP is sub-judice before

Hon’ble APTEL, no decision shall be taken till the final decision of Hon’ble APTEL in the referred cases.

JSPL-D submitted the Petition for true-up of ARR for FY 2017-18, determination of revised ARR of FY 2018-19 and ARR of FY 2019-20 under Petition No. 33 of 2020. Also, JSPL-D submitted the Petition for True-up for FY 2018-19, determination of revised ARR of FY 2019-20 and determination of ARR and retail tariff for FY 2020-21 under Petition No.07 of 2021, Petition No. 14 of 2021 for determination of ARR for FY 2021-22 and Petition No. 46 of 2022 for True up of FY 2019-20 and 2020-21, determination of revised estimates for FY 2021-22 and ARR for FY 2022-23 to 2024-25.

The Hon’ble APTEL passed its Judgement dated May 06, 2022 in Appeal No. 72 of 2016 and 100 of 2016 filed by JSPL, setting aside certain Orders of the Commission, and issued certain directions to the Commission as below:

i. *determine the available surplus capacity and its pattern;*
ii. *carry out technical analysis for supply of surplus power for the distribution business from the Raigarh CPP and Dongamahua CPP;*
iii. *allow JSPL to procure required quantum of electricity through competitive bidding for long term;*
iv. *determine the tariff for the Distribution Licensee i.e. JSPL from the FY 2011-12, on the basis of already available data and data further furnished by JSPL or otherwise gathered suo moto by the Commission.”*

The Commission vide daily order dated 21.07.2022 has merged the Petitions No. 62 of 2018, 33 of 2020, 07 of 2021, 14 of 2021 and 46 of 2022 to true-up the ARR of the Petitioner from FY 2011-12 to comply with the direction of Hon’ble APTEL in its Judgment dated 06.05.2022 in Appeal No.72 and 100 of 2016.

Separately, RIUS, the contesting Respondent filed an appeal before Hon’ble Supreme Court challenging the aforesaid judgment dated 06.05.2022, however, the said appeal was dismissed vide order dated 03.11.2022 by holding that there is no ground for interference.

Further, the Commission issued an Order dated 28.11.2022 in the remand proceedings in compliance with the judgment dated 06.05.2022 and carried out Truing Up for the period of FY 2011-12 to FY 2020-21, approved ARR for the MYT Control period FY 2022-23 to FY 2024-25 and determined the tariff for FY 2022-23.

The Petitioner being aggrieved by the Order dated 28.11.2022 of the Commission filed an Appeal before the Hon'ble Appellate Tribunal. The case was registered as Appeal No. 441 of 2022.

The Petitioner through the Interlocutory Applications, is seeking a stay on the adjustment of alleged surplus from RCPP and DCPP, so that the Petitioner is entitled to charge the determined tariff/ ACoS of Rs. 5.44 per unit from consumers of OPJIP, as a provisional tariff till the disposal of the main appeals.

The Hon'ble APTEL passed its Judgement as an interim relief dated March 17, 2023 w.r.t. following Appeal:

a) IA No. 2025 of 2022 in Appeal No. 438 of 2022
b) IA No. 2035 of 2022 in Appeal No. 439 of 2022
c) IA No. 2028 of 2022 in Appeal No. 440 of 2022
d) IA No. 2031 of 2022 in Appeal No. 441 of 2022
e) IA No. 2042 of 2022 in Appeal No. 442 of 2022
f) IA No. 2039 of 2022 in Appeal No. 443 of 2022
g) IA No. 2045 of 2022 in Appeal No. 444 of 2022

The Order dated 28.11.2022 passed by the Commission in Petition No. 14 of 2021 is stayed to the extent of the JSPL-D is allowed to henceforth charge the determined tariff/ ACoS of Rs. 5.44 per unit from consumers of OPJIP, as a provisional tariff, subject to the outcome of the main appeals.

In accordance with CSERC MYT Regulations 2015 and CSERC MYT Regulations 2021, JSPL-D filed the petition for approval of final true-up for FY 2021-22, revised ARR for FY 2022-23 and determination of ARR & Retail Supply Tariff for FY 2023-24 which was registered as Petition No. 15 of 2023. While disposing this petition, the Commission passed an order on 10.01.2024 and decided not to proceed with the true-up for FY 2021-22 because the matter is sub judice before the Hon'ble APTEL. The Commission then determined the tariff for FY 2023-24 for JSPL-D in accordance with the MYT Regulations, 2021.

In accordance with CSERC MYT Regulations 2021, JSPL-D filed the present petition for approval of final true-up for FY 2022-23, revised ARR for FY 2023-24 and determination of ARR & Retail Tariff for FY 2024-25 on 04/12/2023, which was registered as Petition No. 101 of 2023. While disposing this petition, the Commission, taking consistent view of not carrying out truing up exercise for previous years till the matter is sub-judice in the Hon'ble APTEL, has not carried out True-up of FY 2022-23 in the present order. Thus, the Commission has proceeded with the determination of Tariff for FY 2024-25 for JSPL-D in accordance with the provisions of the MYT Regulations, 2021 and Chhattisgarh State Electricity Regulatory Commission (Terms and Conditions for determination of Tariff according to Multi-Year Tariff principles and Methodology and Procedure for determination of Expected revenue from Tariff and Charges) (First Amendment) Regulations, 2023.

### 1.4 Admission of the Petition and Hearing Process

The Petition filed by JSPL-D for approval of final true-up for FY 2022-23, and determination of ARR and Retail Supply Tariff for FY 2024-25 was registered on 11.12.2023.

Subsequently, the Commission also sought following additional information vide its letter dated 02.02.2024 from the Petitioner:

1. JSPL-D should explain the reasons for reduction in category-wise Sales in FY 2022-23 as compared to the actual sales in FY 2021-22.
2. As regards Energy Balance shown in Table 3 and R4 Sheet of Model, the Energy Requirement/Power Purchase quantum is shown as 1190.49 MU, whereas the power purchase quantum is shown as 1191.80 MU in Note 11 of the Audited Accounts. JSPL-D should reconcile the figures of Energy Requirement/ Power Purchase for FY 2022-23 in accordance with the Audited Accounts for FY 2022-23.
3. JSPL-D should provide the details of competitive bidding undertaken for purchase of power from JPL at the rate of Rs. 6.00/kWh from 01.04.2022 to 20.07.2022 with documentary evidence.
4. JSPL-D should submit the details of competitive bidding undertaken for purchase of power from JPL at the rate of Rs. 5.50/kWh from 21.07.2023 to 31.03.2023 with documentary evidence.
5. JSPL-D should submit the copy of the approval received from the Commission for the PPA with JPL for purchase at the rate of Rs. 6.00/kWh from 01.04.2022 to 20.07.2022.
6. The power purchase cost has been shown as Rs. 687.84 Crore in 'R4 sheet' of the Model, whereas the power purchase cost has been shown as Rs. 666.27

Crore in Table 4 of the Petition and Note 11 of the Audited Accounts. JSPL-D should reconcile the power purchase cost for FY 2022-23 in accordance with the Audited Accounts for FY 2022-23.

7. JSPL-D has not provided the details of quantum of power purchase under different LOIs for FY 2022-23. JSPL-D should provide the required data in the following format:

| Sl. | Particulars | Quantum (MU) | Rate (Rs/kWh) | Cost (Rs. Crore) |
|---|---|---|---|---|
| 1 | Purchase from JPL from 01.04.2022 to 20.07.2022 | | 6.00 | |
| 2 | Purchase from JPL from 21.07.2022 to 31.03.2023 | | 5.50 | |
| | **Total** | | | |

8. JSPL-D has stated that copy of Letter of Intent issued to JPL for purchase of power from 01.04.2022 to 20.07.2022 is provided at **Annexure-IV**. However, **Annexure-IV** is the LOI for purchase of power for August and September 2023. JSPL-D should submit the copy of Letter of Intent for purchase of power from 01.04.2022 to 20.07.2022.

9. JSPL-D should submit Annexure-V, stated as LOI for power purchase for the period from 21.07.2022 to 31.03.2023, as stated in Para 58 of Petition.

10. As regards RPO expenses of Rs. 22.84 Crore claimed by JSPL-D for FY 2022-23, JSPL-D should

    a) Indicate where the expenses of Rs. 22.84 Crore is reflected in the Audited Accounts.

    b) Submit the details of RECs purchased, including the quantum and rate.

    c) Submit the copies of RECs issued by the Power Exchange against which JSPL-D has claimed the RPO cost of Rs. 22.84 Crore.

11. JSPL-D should submit the letter from CREDA certifying the RPO compliance as per applicable RPO target for FY 2022-23.

12. JSPL-D has claimed GFA addition of Rs. 2.43 Crore against Rs. 0.50 Crore claimed in the MYT Petition and 'Nil' amount approved in the MYT Order. In this regard, JSPL-D should

    a. Justify the actual GFA addition claimed vis-à-vis the GFA addition of Rs. 0.50 Crore claimed in MYT Petition.
    b. Submit the scheme-wise details of asset addition for FY 2022-23.
    c. Reconcile the GFA of Rs. 2.43 Crore claimed in the Petition with the GFA addition of Rs. 0.93 Crore shown in the Audited Accounts, which is against Buildings only.

13. As regards interest on loan claimed for FY 2022-23, JSPL-D should

    a. Submit the computation of actual weighted average interest rate of 9% for FY 2022-23, as stated in Para 71 of the Petition.
    b. Clarify where the actual interest expenses on long-term loan are reported in the Audited Accounts for FY 2022-23.

14. As regards A&G expenses of Rs. 7.53 Crore claimed by JSPL-D in the true-up for FY 2022-23, JSPL-D should

    a. Reconcile the A&G expenses of Rs. 7.53 Crore claimed in the Petition with the total A&G expenses of Rs. 8.20 Crore reported in Note 12.3 of the Audited Accounts.
    b. Submit the head-wise break-up of 'Corporate Expenses' of Rs. 5.57 Crore as per Note 12.3 of Audited Accounts.
    c. Submit the head-wise break-up of 'Others' Expenses of Rs. 0.75 Crore as per Note 12.3 of Audited Accounts.
    d. Submit head-wise break-up of 'Social Welfare' Expenses of Rs. 0.45 Crore as per Note 12.3 of Audited Accounts.
    e. Submit the details of expenses claimed against 'Meter rent & other charges' of Rs. 0.22 Crore as per Note 12.3 of Audited Accounts.
    f. Clarify regarding footnote to Note 12.3 in Audited Accounts stating "Net off refund of Rs. 72.50 Lakh due to surrender of Land & Power allocated to the customer in the earlier years".

15. JSPL-D has added the amount of 'Sharing of Gains or Losses on account of Controllable Factors' as Rs. 4.48 Crore in Para 81 and Table 15 of the Petition. In this regard, JSPL-D should

a. Reconcile the amount with sharing of gain/ loss of Rs. 4.77 Crore shown in Form S4 of Financial Model/ Formats.

b. JSPL-D has proposed to pass on 2/3rd of the efficiency loss of Rs. 6.78 Crore in the ARR; however, the CSERC MYT Regulations, 2021 allow only 1/3rd of the efficiency losses to pass on to the consumers. JSPL-D should submit the revised computations of sharing of losses and ARR based on the CSERC MYT Regulations, 2021.

16. As regards the revenue from sale of electricity, JSPL-D should

a. Submit the details of category-wise tariff applicable/ levied, with break-up of Fixed/ Demand Charges and Energy Charges, for different periods during the year.

b. Submit the category wise revenue.

c. Submit the details of income of Rs. 4.82 Crore from sale to other business of JSPL including Units sold in MU and rate of sale of power.

17. As regards Non-Tariff Income of Rs. 0.48 Crore considered in Para 88 and Table 15 of the Petition, JSPL-D should clarify where the Non-Tariff Income of Rs. 0.48 Crore is reported in the Audited Accounts for FY 2022-23.

18. JSPL-D should clarify where the income from 'Delayed payment surcharge/ interest received from customers' of Rs. 0.12 Crore as per Note 13 of Audited Accounts has been considered in the ARR of JSPL-D.

19. As regards the category-wise sales projected for FY 2024-25, JSPL-D should submit the data on actual category-wise sales for the first 8 to 9 months of FY 2023-24, i.e., from April 2023 to November/ December 2023.

20. JSPL-D should submit details of competitive bidding process followed for medium-term power procurement, along with details of the status of Commission's approval for the same.

21. JSPL-D should clarify under which provision of MYT Regulations, 2021, it has submitted the revised estimate for all components of the ARR for FY 2024-25. The MYT Regulations, 2021, only provide for re-assessment of the sales and power purchase costs, with all other components being considered as approved in the MYT Order.

22. JSPL-D should submit the detailed computation of revenue of Rs. 755.30 Crore from existing tariff for FY 2024-25.

23. JSPL-D should submit the proposed category-wise tariffs for FY 2024-25 which includes Proposed Fixed/Demand Charges (Rs./kVA/month) and Proposed Energy Charges (Rs./kWh) or (Rs./kVAh).

24. JSPL-D should submit Annexure-VI related to the data on kWh and kVAh consumption for HT category and the actual Power Factor as mentioned in the Para 186 of the Petition.

25. For Revised Estimates for FY 2023-24, JSPL-D should clarify under which provision of the MYT Regulations, 2021 is the revised estimate for FY 2023-24 submitted.

26. For Surplus Power of Raigarh CPP, in para 44, 48 and 56 of order dated 17.03.2023 passed in appeal no. 438 to 444 of 2022, Hon'ble APTEL's has directed the Commission to determine the surplus capacity of RCPP with its pattern considering 15 minutes time block data. Therefore, for truing-up of FY 2022-23, the Commission has to determine surplus capacity of RCPP with its pattern considering 15 minutes time block data. In view of this, JSPL-D is required to provide following information:

    i. JSPL-D should submit the daily data in 15-minute time block of Unit-wise generation (in MW and MU) along with auxiliary energy consumption (in MU) from Raigarh CPP from April 1, 2022 to March 31, 2023 in MS Excel.

    ii. JSPL-D should submit the captive consumption data (in MW and MU) in 15-minute time block from Raigarh CPP from April 1, 2022 to March 31, 2023 in MS Excel.

    iii. JSPL-D should submit the 15-minute time block data of power sold (in MW and MU) to different entities from Raigarh CPP from April 1, 2022 to March 31, 2023 in MS Excel.

    iv. JSPL-D should submit 15-minute time block data of power supplied (in MW and MU at drawl point) to the JSPL's licensed distribution system from April 1, 2022 to March 31, 2023 in MS Excel.

    v. JSPL-D should submit the copy of Form-G for Raigarh CPP submitted to Chief Electrical Inspector along with all Annexures, for the period from April 2022 to March 2023 (Monthly and consolidated for Financial Year)

    vi. For FY2022-23, JSPL-D should submit the annual Energy Balance in respect of Raigarh CPP with the following details:

    a. Energy generated

b. Captive consumption

c. Energy supplied to licence area of JSPL-D (Industrial Park)

d. Energy sold to CSPDCL

e. Energy sold to any other entities

In response, the Petitioner JSPL-D submitted the additional information on 21/02/2024.

## 1.5 Organization of the Order

This Order includes the following Chapters:

**Chapter 1: Introduction (present Chapter)** – provides a brief background of the regulatory process undertaken by the Commission.

**Chapter 2: Hearing process**.

**Chapter 3: True-up for FY 2022-23** – deals with Final True-up for FY 2022-23 as per CSERC MYT Regulations, 2021.

**Chapter 4: Determination of ARR for FY 2024-25 –** deals with approval of Aggregate Revenue Requirement for FY 2024-25 in accordance with CSERC MYT Regulations, 2021 and CSERC MYT Regulations (First Amendment), 2023.

**Chapter 5: Tariff Principles and Tariff Design** – sets out the Commission's Tariff Philosophy for FY 2024-25.

**Chapter 6: Tariff Schedule for FY 2024-25 –** sets out the category-wise tariff schedule applicable for FY 2024-25.

# 2 HEARING PROCESS, INCLUDING THE COMMENTS MADE BY STAKEHOLDERS, THE PETITIONERS' RESPONSES AND VIEWS OF THE COMMISSION

## 1. <u>Truing up for FY 2022-23</u>

**JSPL-D Submission**

In the petition, JSPL has requested the Commission to carry out the true-up of FY 2022-23 and allow the past gaps accordingly.

**Consumer's suggestion**

Consumers of JSPL-D has requested to continue the tariff of FY 2023-24 in FY 2024-25 also as the power purchase rate in both the year is same.

**JSPL-D additional submission**

In additional submission, JSPL-D submitted that if cumulative revenue gap will be considered then the average cost of supply (ACOS) will come around Rs 7.89 per kWh. This ACOS will give burden to the consumers of JSPL-D. Therefore, for the benefit of the consumers, JSPL-D requested the Commission to allow ACOS of Rs. 5.60 per kWh for the FY 2024-25 and allow balance cumulative gap in subsequent years..

**Commission's view**

Considering the submissions of the parties and as the matter being pending before Hon'ble APTEL, the Commission has not carried out truing up of FY 2022-23 in the present order.

## 2. Retail tariff for FY 2024-25

**Consumer's suggestion**

Consumers of JSPL-D has requested to continue the tariff of FY 2023-24 in FY 2024-25 as the power purchase rate in both the year is same.

**JSPL-D additional submission**

In additional submission, JSPL-D has requested the Commission to allow the petitioner to recover fixed charges @ Rs. 251/KVA/Month and variable charge @ Rs. 5.09/kWh for FY 2024-25 which is the same tariff as approved for FY 2023-24.

**Commission's view**

Commission has approved the retail tariff on the basis of standalone ARR of FY 2024-25 and same is given in tariff schedule chapter of this order.

# 3 TRUE-UP FOR FY 2022-23

3.1 The Commission has passed order dated 28.11.2022 in petition no. 46/2022 in which Commission has carried out true up from FY 2011-12 to FY 2020-21, approved ARR for the control period from FY 2022-23 to FY 2024-25 and determine retail tariff for FY 2022-23. The truing up conducted was yielding a surplus in the hands of JSPL-D and the Commission even while determining the tariff of Rs. 5.44/- per kWh had directed JSPL-D to adjust the revenue surplus of Rs. 1246.31 Crore**.** [Note: The Commission has adopted the principle given in the tariff policy. Thus, a part of the cumulative recovery of surplus i.e., Rs. 175 Crore has been adjusted against the ARR of JSPL-D for FY 2021-22 and balance part of surplus shall be adjusted in the subsequent financial years.

3.2 JSPL-D preferred an appeal before Hon'ble APTEL against the Commission's aforesaid order. This appeal has been registered as Appeal nos. 438 – 441 of 2022. Hon'ble APTEL passed an interim order dated 17.03.2023 in IA No. 2031 of 2022 in Appeal No. 438 – 441 of 2022 that the Order dated 28.11.2022 passed by the Commission in Petition No. 14 of 2021 is stayed to the extent that the JSPL-D is allowed to henceforth charge the aforesaid determined tariff/ ACoS of Rs. 5.44 per unit from consumers of OPJIP, as a provisional tariff, subject to the outcome of the main appeals.

3.3 The above Order of the Hon'ble APTEL was challenged by Rajasthan Ispat Udyog Sangh (RIUS) before the Hon'ble Supreme Court in Civil Appeal Nos. 3606 – 3612 of 2023. However, the said appeal stands withdrawn and the interim Order of the Hon'ble APTEL is holding the field in so far as tariff recovery is concerned.

3.4 The principles decided by this Commission while truing-up for the period FY 2011-12 to FY 2020-21 have been challenged by JSPL-D before the Hon'ble APTEL which principles would be either confirmed or varied by the Hon'ble APTEL only at the stage of final disposal.

3.5 Since, the matter is pending in the Hon'ble APTEL which is a first appellate court and has also stayed the earlier order dated 28/11/2022 by a detailed interim order, at this stage, the Commission is not conducting the truing-up for FY 2022-23. This issue will be taken up once the batch of appeals is disposed-off by the Hon'ble APTEL. Any decision of the Hon'ble Tribunal on the principles of truing up will be adopted by this Commission while truing up for FY 2022-23 as well.

3.6 As the matter of truing up of the past period is sub-judice, the Commission has decided not to carry out truing up of FY 2022-23 in this order.

# 4 ARR OF JSPL-D FOR FY 2024-25

## 4.1 Background

JSPL-D has submitted the projected ARR for the FY 2024-25 under various heads, viz., Sales, Power Purchase expenses, O&M expenses, depreciation, interest on loans, interest on working capital, etc. The Commission has approved the revised ARR for FY 2024-25 in accordance with the provisions of the MYT Regulations, 2021, and CSERC MYT Regulations (First Amendment), 2023 in this chapter.

## 4.2 Sales Projections

**JSPL-D's Submission**

JSPL-D submitted that energy sales have been projected based on per kVA consumption in the past. The Petitioner has restricted the growth rate to 6.24% (which is YoY growth of FY 2021-22 over FY 2020-21) over previous year for consumers showing increase in consumption in one of the past 2 years. Similarly, the consumers showing reduced consumption over the past 2 years were expected to enhance their consumption by 5% over previous year. The Petitioner has used provisional figures available for energy sales in FY 2023-24 as a base for projection. The category-wise energy sales projected by the Petitioner for FY 2024-25 in comparison to that approved by the Commission in Order dated 28.11.2022 is provided in the Table below:

**Table 4-1: Category-Wise Sales Projected by JSPL-D for FY 2024-25 (MU)**

| Sl. No. | Category | MYT Order | Petition |
|---|---|---|---|
| **A** | **LT** | | |
| 1 | Demand Based | 0 | 0.52 |
| 2 | Non-Domestic | 0.48 | 0.17 |
| 3 | Public Utilities | 0 | 0 |
| 4 | Domestic | 0 | 0 |
| **B** | **11 kV** | | |
| 1 | Domestic | 0 | 0 |
| 2 | Steel Industries | 2.47 | 39.56 |
| 3 | Other industries | 38.51 | 0 |
| 4 | Residential | 0 | 0 |
| 5 | Other General Purpose | 0.69 | 1.87 |
| **C** | **33 kV** | | |
| 1 | Steel industries | 1487.17 | 1330.48 |
| 2 | Other industries | 10.77 | 15.86 |
| **D** | **Total** | **1540.08** | **1388.43** |

**Commission's Views**

The Commission has analysed the category-wise energy sales for FY 2024-25 projected by JSPL-D considering the CAGR and Year-on-Year (YoY) growth in sales for each LT and HT category and found to be realistic, hence, adopted the same for computation of ARR for FY 2024-25.

The energy sales considered by the Commission for the FY 2024-25 is given in the Table below:

**Table 4-2: Energy Sales for FY 2024-25 approved by Commission (MU)**

| Sl. No. | Category | MYT Order | Petition | Approved by Commission |
|---|---|---|---|---|
| **A** | **LT** | | | |
| 1 | Demand Based | 0 | 0.52 | 0.52 |
| 2 | Non-Domestic | 0.48 | 0.17 | 0.17 |
| 3 | Public Utilities | 0 | 0 | 0 |
| 4 | Domestic | 0 | 0 | 0 |
| **B** | **11 kV** | | | |
| 1 | Domestic | 0 | 0 | 0 |
| 2 | Steel Industries | 2.47 | 39.56 | 39.56 |
| 3 | Other industries | 38.51 | 0 | 0 |
| 4 | Residential | 0 | 0 | 0 |
| 5 | Other General Purpose | 0.69 | 1.87 | 1.87 |
| **C** | **33 kV** | | | |
| 1 | Steel industries | 1487.17 | 1330.48 | 1330.48 |
| 2 | Other industries | 10.77 | 15.86 | 15.86 |
| **D** | **Total** | **1540.08** | **1388.43** | **1388.43** |

## 4.3 Energy Balance

**JSPL-D's Submission**

The Petitioner has considered the approved distribution and transmission loss by the Commission in Order dated 28.11.2022 for projection of power purchase requirement for FY 2024-25. The table below summarizes the projection for energy sales, transmission, and distribution losses for JSPL-D for FY 2024-25.

**Table 4-3: Energy Balance projected for FY 2024-25 as submitted by JSPL-D (MU)**

| Category | MYT Order | Petition |
|---|---|---|
| Energy Sales | 1540.08 | 1388.43 |
| Distribution loss (%) | 0.33% | 0.33% |
| Distribution loss | 5.10 | 4.60 |
| Energy delivered at Distribution | 1545.18 | 1393.02 |

| Category | MYT Order | Petition |
|---|---|---|
| periphery | | |
| Transmission Loss (%) | 0.59% | 0.59% |
| Transmission Loss | 9.17 | 8.27 |
| Energy Requirement at transmission periphery | 1554.35 | 1401.29 |

**Commission's Views**

The Commission has accepted the Distribution loss of 0.33% as submitted by the Petitioner which is in line with the approved percentage in the Order dated 28.11.22 for the FY 2024-25. The Commission has computed the energy required at distribution periphery by grossing up the sales with the distribution loss. The Commission has considered the Transmission Loss of 0.59% as submitted by the Petitioner and in line with the approved percentage in the Order dated 28.11.22. The Commission has computed the energy required at the transmission periphery by grossing up the energy required at the distribution periphery with the transmission loss. The Commission has approved the Energy Balance for FY 2024-25 based on the approved sales, approved Distribution Losses and Transmission Losses, as shown in the Table below:

**Table 4-4: Approved Energy Balance for the FY 2024-25 (MU)**

| Particulars | FY 2024-25 | | |
|---|---|---|---|
| | MYT Order | Petition | Approved |
| Energy Sales | 1540.08 | 1388.43 | 1388.43 |
| Distribution loss (%) | 0.33% | 0.33% | 0.33% |
| Distribution loss | 5.10 | 4.60 | 4.60 |
| Energy delivered at Distribution periphery | 1545.18 | 1393.02 | 1393.02 |
| Transmission Loss (%) | 0.59% | 0.59% | 0.59% |
| Transmission Loss | 9.17 | 8.27 | 8.27 |
| **Energy Requirement at Transmission Periphery** | **1545.35** | **1401.29** | **1401.29** |

## 4.4 Power Purchase cost

**JSPL-D's Submission**

The Petitioner has submitted that the power purchase cost of INR 5.05 per unit has been discovered based on the medium-term power purchase result. The petitioner has submitted the petition regarding the adoption of the tariff to the Commission for the same. The Petitioner adopted the same rate of Rs. 5.05/kWh for estimating the power purchase cost for FY 2024-25.

**RPO Cost and Targets**

The Petitioner has computed the RPO targets for FY 2024-25 in accordance with the Chhattisgarh State Electricity Regulatory Commission (Renewable Purchase Obligation and REC framework Implementation) (first amendment) Regulations, 2022. The Petitioner has calculated RPO liability in MU on the total volume of power sales. Also, this Regulation is applicable for the period from FY 2021-22 to FY 2029-30, hence, the Petitioner has considered the targets for FY 2024-25 for calculation of RPO obligation. JSPL-D has submitted that it has envisages to meet the RPO target by purchase of REC. The detailed calculation of expense to be incurred towards purchase of REC for FY 2024-25 and that approved by the Commission in Order dated 28.11.2022 has been provided in the table below:

**Table 4-5: Estimated RPO Cost for FY 2024-25 as submitted by JSPL-D (Rs. Crore)**

| Particulars | Units | Approved | Petition |
|---|---|---|---|
| Wind | % | | 2.46 |
| Other RPO | % | | 26.37 |
| HPO | % | | 1.08 |
| **Total** | **%** | | **29.91** |
| | | | |
| Energy Sale to consumers | MU | | 1388.43 |
| | | | |
| Wind | MU | | 34.16 |
| Other RPO | MU | | 366.13 |
| HPO | MU | | 15.00 |
| **Total** | **MU** | **364.38** | **415.28** |
| | | | |
| Price of REC | Rs./kWh | 1.00 | 0.60 |
| | | | |
| REC Cost | Rs. Cr. | 36.44 | 24.92 |
| **Total** | **Rs. Cr.** | **36.44** | **24.92** |
| 18% GST | Rs. Cr. | | 4.49 |
| Exchange Charges (Rs. 20 per 1000 unit + 18% GST) | Rs. Cr. | | 0.98 |
| Trader Fee (1 Paise per Unit + 18% GST) | Rs. Cr. | | 0.49 |
| **Net REC Cost** | **Rs. Cr.** | **36.44** | **30.87** |

The Petitioner requested the Commission to approve the following estimated power purchase costs for FY 2024-25.

**Table 4-6: Power purchase costs for FY 2024-25 as submitted by JSPL-D (Rs. Crore)**

| Sl. No. | Particulars | MYT order | Petition |
|---|---|---|---|
| **1** | Power Purchase Cost | 854.89 | 707.65 |
| **2** | RPO Expenses | 36.44 | 30.87 |
| | **Total** | **891.33** | **738.52** |

**Commission's Views**

**Power Purchase cost**

Considering the submission of JSPL-D in additional submission dated 08.04.2024, the Commission has considered the power purchase cost @ 5.05/kWh which is the tariff adopted by the Commission under Section 63 of the Electricity Act 2003, vide Order dated 12.12.2023 passed in petition no. 78/2023.

**RPO cost**

The Commission has computed the RPO targets for FY 2024-25 as per 'CSERC RPO Regulations (first amendment), 2022' and calculated RPO liability in MU on the total volume of power sales. The said Regulation is applicable for the period from FY 2021-22 to FY 2029-30. As this Regulation is effective from FY 2021-22 to FY 2029-30, hence, the Commission has considered the targets for FY 2024-25 for calculation of RPO obligation.

**Table 4-7: Approved RPO liability for FY 2024-25 (MU)**

| Particulars | Type | FY 2024-25 | | |
|---|---|---|---|---|
| | | **MYT Order** | **Petition** | **Approved** |
| Minimum RPO Target (%) | Wind | | 2.46% | 2.46% |
| | HPO | | 1.08% | 1.08% |
| | Other RPO | | 26.37% | 26.37% |
| Annual sales (MU) | | | 1388.43 | 1388.43 |
| RPO liability (MU) | Wind | | 34.16 | 34.16 |
| | HPO | | 15.00 | 15.00 |
| | Other RPO | | 366.13 | 366.13 |

The Commission has considered purchase of RECs for meeting the RPO targets, considering that there is a gestation period for procurement of actual RE power. However, the Petitioner should strive to purchase RE power rather than RECs to meet its RPO target, which is likely to help JSPL to reduce its overall power purchase cost, considering the lower rate prevalent for RE power purchase.

**Table 4-8: Approved Power Purchase Cost for FY 2024-25**

| **Particulars** | **FY 2024-25** | | |
|---|---|---|---|
| | **MYT Order** | **Petition** | **Approved** |
| **Quantum of Power Purchase (MU)** | | | |
| **JPL** | | 1401.29 | 1401.29 |
| **Alternate source** | 1554.35 | | |
| **Total (MU)** | **1554.35** | **1401.29** | **1401.29** |
| **Power Purchase Cost (Rs. Crore)** | | | |
| **JPL** | | 707.65 | 707.65 |
| **Alternate source** | 854.89 | | |
| **Total (Rs. Cr.)** | **854.89** | **707.65** | **707.65** |
| **RE Power Purchase cost (Rs. Crore)** | | | |
| **Wind** | | | |
| **HPO** | 1.02 | | |
| **Other RPO** | | | |
| **Total RE Power cost (Rs. Crore)** | **36.44** | **30.87** | **30.87** |
| **Total Power purchase cost including RE/REC (Rs. Crore)** | **891.33** | **738.52** | **738.52** |
| **Avg. Power Purchase Rate (Rs./kWh)** | | | |
| **JPL** | | 5.05 | 5.05 |
| **Alternate source** | 5.50 | | |
| **Solar REC** | 1.00 | 0.6 | 0.6 |
| **Non-solar REC** | 1.00 | | |
| **HPO** | 1.00 | | |

## 4.5 Other components of ARR

**JSPL-D's Submission**

In its Petition, JSPL-D has revised all the other components of ARR for FY 2024-25.

The summary of other components of ARR for FY 2024-25 as submitted by JSPL-D in the Petition are as shown in the table below:

**Table 4-9: Other Components of ARR as claimed by JSPL-D for FY 2024-25**

| **SI. No.** | **Particulars** | **JSPL-D Petition** |
|---|---|---|
| 1 | Employee Expenses | 10.89 |
| 2 | A&G Expenses | 3.07 |
| 3 | R&M charges | 1.75 |
| 4 | Interest on Loan | 1.01 |
| 5 | Interest on Security Deposit | - |
| 6 | Interest on Working Capital Requirement | 6.81 |
| 7 | Depreciation | 2.11 |
| 8 | Return on Equity | 1.82 |
| 9 | Transmission charge | 6.34 |
| **10** | **Less: Non-Tariff Income** | **1.89** |

**Commission's Views**

The Commission noted that JSPL-D has submitted revised ARR for FY 2024-25 by revising all components of the ARR in the submitted Petition. The Commission asked JSPL-D the basis and relevant provisions of the MYT Regulations, 2021 under which all the components of the ARR have been revised.

In reply, JSPL-D has submitted that the Regulation 5.7 (b) (ii) of the CSERC MYT Regulations, 2021, provides for redetermination of ARR for the ensuing year along-with retail tariff proposal.

As per MYT Regulations 5.7 (b) (ii), only Power purchase cost and sales figures can be revised else all the components of ARR will be same as per MYT Tariff Order for the respective year. Regulation 5.7(b)(ii) of the MYT Regulations, 2021 is reproduced below:

*"(b) After first year of control period and onwards, the yearly true up petition shall comprise of:*

*...*

*ii. For Distribution Wire and Retail Supply Business*

1. *The truing up petition for preceding year(s).*
2. *Revised power purchase quantum/cost (if any), with details thereof for the ensuing year.*
3. *Revenue from existing tariffs and charges and projected revenue for the ensuing year.*
4. *Application for re-determination of ARR for the ensuing year along-with retail tariff proposal."*

Thus, in accordance with the MYT Regulations, 2021, only the power purchase cost and sales component of the ARR can be revised through the present regulatory process, and all other components of the ARR have to be considered as approved by the Commission in the MYT Order dated 28th November 2022.

Hence, in order to determine the revised ARR for FY 2024-25, the Commission has considered the projected sales and power purchase cost for FY 2024-25 as detailed earlier in this Chapter. The Commission has considered all other components of ARR as approved in the MYT Order dated 28th November 2022.

## 4.6 Aggregate Revenue Requirement for FY 2024-25

The summary of the ARR claimed by JSPL-D and the ARR approved by the Commission for JSPL-D for the FY 2024-25 is shown in the Table below:

**Table 4-10: ARR approved for JSPL-D for FY 2024-25 (Rs. Crore)**

| Sr. No. | Particulars | FY 2024-25 | | |
|---|---|---|---|---|
| | | **MYT Order** | **Petition** | **Approved** |
| 1 | Power Purchase Cost | 854.89 | 707.65 | 707.65 |
| 2 | RPO Costs | 36.44 | 30.87 | 30.87 |
| 3 | O&M Expenses | 15.49 | 15.71 | 15.49 |
| 3 | Depreciation | 0.55 | 2.11 | 0.55 |
| 4 | Interest on Loan | 0.42 | 1.01 | 0.42 |
| 6 | Interest on Working Capital Requirement | 7.04 | 6.81 | 7.04 |
| 7 | Return on Equity | 0.60 | 1.82 | 0.60 |
| 8 | Transmission Charge | 6.24 | 6.34 | 4.98 |
| 9 | Provision for Bad & Doubtful Debt | 0 | 0 | 0 |
| 11 | Less: Non-Tariff Income | 1.89 | 1.89 | 1.89 |
| **12** | **ARR** | **919.77** | **770.44** | **765.71** |

## 4.7 Revenue from Sale of Electricity

**JSPL-D's Submission**

The Petitioner has submitted that the hon'ble APTEL in its interim Order issued on 17.03.2023 has approved the rate of Rs. 5.44/kWh for sale of electricity. Thus, for FY 2024-25 the Petitioner has computed the revenue of Rs. 755.30 Crore with projection of sales of 1388.43 MU considering approved rate of Rs. 5.44/kWh.

**Commission's View**

The Commission has computed standalone ACOS i.e., Rs. 5.51/kWh based on the approved ARR and projected sales quantum of FY 2024-25. Based on the standalone ACOS, the Commission has fixed retail tariff in such a manner that the approved ARR for JSPL-D for FY 2024-25 shall be recovered. Approved tariff schedule has been given in tariff schedule chapter .

# 5 TARIFF PRINCIPLES AND TARIFF DESIGN

## 5.1 Approach for Tariff for FY 2024-25

The ARR of JSPL-D for FY 2024-25 has been estimated as Rs. 765.71 Crore, as elaborated in the previous Chapter. On a stand-alone basis, JSPL-D is estimated to recover ARR through approved tariff for FY 2024-25, as mentioned in the previous Chapter.

Based on the ARR and Sales approved, the standalone Average Cost of Supply (ACoS) approved by the Commission for FY 2024-25 is shown in the Table below:

**Table 5-1: Average Cost of Supply (Rs./kWh) for JSPL-D for FY 2024-25**

| Sr. No. | Particulars | Approved |
|---|---|---|
| 1 | Aggregate Revenue Requirement for FY 2024-25 (Rs. Crore) | 765.71 |
| 2 | Total estimated sales (MU) | 1388.43 |
| 3 | Stand-alone Average Cost of Supply (ACOS) | 5.51 |

## 5.2 Overall Tariff Philosophy for FY 2024-25

The category-wise tariffs have been determined in such a manner that the approved ARR for JSPL-D for FY 2024-25 shall be recovered.

The Commission has not carried out true up of ARR of FY 2022-23 as the matter is sub-judice. Therefore, the tariff of HT and LT categories has been determined such that there is no cross-subsidy between consumer categories, as the Average Billing Rate (ABR) has been equated to the standalone Average Cost of Supply (ACOS) for FY 2024-25 i.e., Rs. 5.51/kWh.

## 5.3 Tariff Categorisation

In the last Tariff Order issued for JSPL-D, the Commission has merged the categories, such that there is only 1 LT category and 1 HT category, and the tariffs have been adjusted in such a manner that there is no cross-subsidy. The Commission has decided to continue the same. This helps to achieve the objection of reduction of cross-subsidy.

By taking consistent view as taken for other Distribution Licensees, the Commission determined two-part tariff in accordance with the provisions of the Act viz., Fixed/Demand Charges linked to Sanctioned Load/Contract Demand and Energy Charges linked to the energy consumption.

Also, in the last Tariff Order issued for JSPL-D for FY 2023-24, two-part tariff has been determined for JSPL-D. Hence, two-part tariff has been approved for JSPL-D for FY 2024-25 in this Order.

### 5.4 Time-of-Day (ToD) tariff

The ToD tariffs are applicable for other Distribution Licensees in the State of Chhattisgarh. However, power purchase rate of JSPL-D does not vary during different period of the day. Hence, no ToD tariffs have been determined for the consumers of JSPL-D.

### 5.5 Applicability of Order

The approved Tariff Schedule for FY 2024-25 is given in the next Chapter.

The revised tariff will be applicable with effect from May 01, 2024 for the consumers of JSPL-D, and will remain in force till March 31, 2025 or till the issue of next Tariff Order, whichever is later. The Commission directs JSPL-D to take appropriate steps to implement the Tariff Order.

# 6 TARIFF SCHEDULE FOR FY 2024-25

This Tariff Schedule shall be applicable from May 01, 2024.

## 6.1 Tariff Schedule for Low Voltage (LV) Consumers

This tariff schedule is applicable to all LV consumers as follows:

a) Single-phase, 230 Volts up to a maximum Sanctioned Load of 5 kW (excluding agriculture and industrial consumers), and

b) Three-phase, 400 Volts for maximum demand up to 112.5 kW in case of demand-based tariff or for maximum Sanctioned load of 150 HP in case of other tariff, as applicable.

### 6.1.1 LV-1: All LV consumers

**Applicability**

This tariff is applicable to all LV consumers.

**Tariff:**

| Category of Consumers | Units Slab | Fixed Charge (Rs per kW of Contracted load/Billing Demand) | Energy Charge (Rs. per kWh) |
|---|---|---|---|
| **LV-1.1**: Single Phase | All units | Rs. 25 per kW per month | 5.00 |
| **LV-1.2**: Three Phase | All units | Demand Charges-<br>Rs. 50/kW/month on billing demand | 5.50 |

**Notes:**

i. Fixed Charges of LV-1.1 and Demand Charge on contract demand of tariff LV-1.2 is a monthly minimum charge, whether any energy is consumed during the month or not.

ii. If the Recorded Demand exceeds the Sanctioned Load for any three consecutive months, then the Sanctioned Load shall automatically be restated to the highest demand recorded in these three months. In such cases of upward restatement of Sanctioned Load, the load enhancement charges shall be applicable; however, the Security Deposit shall not be required to be increased correspondingly.

iii. If the Recorded Demand is lower than the Sanctioned Load for any three consecutive months, then the Sanctioned Load can be restated to the highest demand recorded in these three months at the option of the consumer.

iv. For charging stations of electric vehicles, a flat rate single part tariff of Rs. 5.51

per unit shall be applicable.

### 6.1.2 Terms and Conditions of L.V. Tariff

1. Energy will be supplied to the consumer ordinarily at a single point for the entire premises of the consumer.
2. Sanctioned Load or Contract Demand/Maximum Demand in fraction shall be rounded off to the next whole number.
3. If the bills are not issued consecutively for three months or more for any LT Consumer, billing on accumulated meter reading shall not be raised without approval of concerned officer of JSPL-D.
4. For the purpose of separate independent LV connection to HV Industrial consumer in the same premises of HV industrial connection, to meet out its essential load during emergency or non-availability of supply in HV connection under LV category, conditions as mentioned in Clause 4.40 of the Chhattisgarh State Electricity Supply Code and its amendment, if any, shall be applicable.
5. For the purpose of Demand Based Tariff (LV-1.2)
   i. **Determination of Maximum Demand**- The maximum demand means the highest load measured by sliding window principle of measurement in average kVA or average kW as the case may be at the point of supply of a consumer during any consecutive period of 30 minutes during the billing period.
   ii. **Billing Demand** – The billing demand for the month shall be the actual maximum kW demand of the consumer recorded during the month or 80% of the Contract Demand, whichever is higher. The billing demand shall be rounded off to the next whole number.
   iii. **Minimum Charge** – The demand charge on contract demand (CD) is a monthly minimum charge whether any energy is consumed during the month or not.
6. The recorded demand for the respective month shall be reflected in the consumer bill.

### 6.1.3 Power Factor Incentive and Surcharge

i. All LV 1.2 consumers with Contracted Load of 15 kW or above shall arrange to install suitable Low Tension capacitors of appropriate capacity at their cost. The consumer shall ensure that the capacitors installed by him properly match with the actual requirement of the load so as to ensure average monthly Power Factor of 0.9 or above. A consumer who fails to do so will be liable to pay Power Factor surcharge @ 35 paise per kWh on the entire consumption of the month.

ii. All LV installations having welding transformer are required to install suitable Low Tension capacitors so as to ensure Power Factor of not less than 0.9. Consumers not complying with the above shall have to pay Power Factor surcharge of 75 paise per kWh on the entire monthly consumption, provided the load of the welding transformer(s) exceeds 25% of the total Sanctioned load.

**Note -** For the purposes of computing the connected load of welding transformers in kW, a Power Factor of 0.6 shall be applied to the kVA rating of such welding transformers. The kVA rating can also be calculated on the basis of load voltage and maximum load current on secondary side of welding machine.

iii. The average monthly Power Factor recorded in the meter shall be considered for billing of Power Factor surcharge or Power Factor incentive, as the case maybe.

iv. Levy of Power Factor surcharge as indicated above, shall be without prejudice to the rights of JSPL-D to disconnect the consumer's installation after issue of 15 days' notice if the average monthly Power Factor remains 0.7 or below for a period of more than two consecutive months. It shall remain disconnected till the consumer makes suitable arrangements to improve the Power Factor.

v. Notwithstanding the above, if the average monthly Power Factor of a new consumer is found to be less than 0.9 at any time during the first six months from the date of connection and if he maintains average monthly Power Factor continuously in subsequent three months at not less than 0.9, then the surcharge billed on account of low Power Factor during the said period shall be withdrawn and credited in next month's bill.

vi. All categories of LV consumers in whose case power factor surcharge is applicable; shall be eligible for Power Factor incentive for Power Factor of above 0.95. Such incentive shall be payable @ 1% of the energy charges for each 0.01 increase or part thereof in power factor above 0.95 up to unity power factor. For example, consumers with Power Factor of 0.965 shall be considered as 0.97 and be eligible for power factor incentive of 2% of energy charges. Consumers with Power Factor of 0.964 shall be considered as 0.96 and be eligible for power factor incentive of 1% of energy charges.

### 6.1.4 Provisions of billing in case of Excess Supply

**1. <u>For Sanctioned load-based tariff</u>**

i. The consumers availing supply at Sanctioned load-based tariff shall restrict their actual connected load within the Sanctioned load. However, in case the actual connected load in any month exceeds the Sanctioned load, the Sanctioned load-based tariff shall apply only to the extent of Sanctioned load and corresponding units of energy. The connected load in excess of Sanctioned load and corresponding units of energy shall be treated as excess supply. The excess supply so consumed in any month, shall be charged at the rate of one and half times of the Sanctioned load based tariff applicable to the consumer (fixed and energy charges) for the excess connected load to the extent of 20% of Sanctioned load and at the rate of two times of Sanctioned load based tariff if the excess connected load is found beyond 20% of Sanctioned load for actual period of enhancement of load or 6 months whichever is less, including the month in which the existence of excess load is detected and shall be continued to be billed till excess load is removed or Sanctioned load is enhanced.

ii. Where the recording facility of demand is available, the billing on account of excess supply shall be restricted to the recorded month only.

iii. If the Recorded Demand exceeds the Sanctioned Load for any three consecutive months, then the Sanctioned Load, as applicable, shall automatically be restated to the highest demand recorded in these three months;

iv. If the Recorded Demand is lower than the Sanctioned Load for any three consecutive months, then the Sanctioned Load shall be restated to the highest demand recorded in these three months at the option of the consumer.

2. **For Demand Based tariff consumers**

i. Consumers availing supply at demand-based tariff (LV-1.2) should at all times restrict their maximum demand to the contract demand or Sanctioned load, whichever is applicable. However, contract demand for the demand-based tariff consumer can be less than Sanctioned load. In case the maximum demand in any month exceeds the contract demand, the said demand-based tariff (LV–1.2) shall apply only to the extent of the contract demand and corresponding units of energy. The demand in excess of contract demand and corresponding units of energy shall be treated as excess supply. The excess supply so availed in any month, shall be charged at the rate of one and half times of the normal tariff applicable to the consumer (fixed and energy charges) for the excess demand to the extent of 20% of contract demand and at the rate of two times of normal tariff if the excess demand is found beyond 20% of contract demand.

ii. For the purpose of billing of excess supply, the billing demand and the units of energy shall be determined as under:

a) Billing Demand: The demand in excess of the contract demand in any month shall be the billing demand.

b) Units of Energy: the units of energy corresponding to kW portion of the demand in excess of the contract demand shall be:-

EU= TU (1-CD/MD)

Where

EU – denotes excess units,

TU – denotes total units supplied during the month,

CD – denotes contract demand, and

MD – denotes actual maximum demand.

a. The excess supply availed in any month shall be charged along with the monthly bill and shall be payable accordingly.

b. The above billing of excess supply at one and half times/two times of the normal tariff shall be applicable to consumers without prejudice to JSPL-D's right to discontinue supply in accordance with the provisions contained in the Chhattisgarh State Electricity Supply Code, 2011, as amended from time to time.

iii. If the Recorded Demand exceeds the Contracted Demand for any three consecutive months, then the Contracted Demand, as applicable, shall automatically be restated to the highest demand recorded in these three months.

3. **Delayed Payment Surcharge**

If the bill is not paid by the consumer within the period (due date) prescribed for payment of the bill, a surcharge @ 1.5% per month or part thereof, on the total outstanding amount of the bill (including arrears, if any, but excluding amount of surcharge), subject to minimum of Rs. 5 shall be payable in addition, from the due date of payment as mentioned in the bill.

4. **Additional Charges**

Every Local Body shall pay an additional charge equivalent to any tax or fee levied by it under the provisions of any law including the Corporation Act, District Municipalities Act or Gram Panchayat Act on the poles, lines, transformers and other installations through which the Local Body receives supply.

5. **Advance Payment Rebate**

For advance payment made before commencement of consumption period for which bill is to be prepared, a rebate @ 0.5% per month on the amount which remains with the Licensee at the end of the calendar month excluding security deposit, shall be credited to the account of consumer after adjusting any amount payable to the Licensee subject to the net amount of advance being not less than Rs.1000 and shall be adjustable in next month's bill.

6. **Rounding off**

The bill shall be rounded off to the nearest multiple of Rs.10. Difference, if any, between the bill amount before and after rounding off, shall be adjusted in next month's bill.

For example: - If the total amount of bill is Rs. 235.00, then the bill shall be rounded off to Rs. 240 and Rs. 5.00 will be credited in next month's bill, whereas if the total amount of bill is Rs. 234.95, then the bill will be rounded off to Rs. 230 and Rs. 4.95 will be debited in next month's bill. In view of the above provision, no surcharge will be levied on outstanding amount, which is less than Rs. 10.

**7. Applicability of tariff**

In case of any dispute about applicability of tariff to a particular LV category, the decision of the Commission shall be final and binding.

**8. Tax or Duty**

The tariff does not include any tax or duty, etc., on electrical energy that may be payable at any time in accordance with any law in force. Such charges, if any, shall be payable by the consumer in addition to tariff charges.

**9. Meter Hire**

Meter hire shall be charged as per the schedule of miscellaneous charges to all categories of LV consumers.

**10. Method of payment of Bills**

(1) Consumer shall have the option to pay bills online or offline.

(2) Bill amount of more than **five thousand rupees** shall mandatorily be paid online.

(3) For bill amount less than or equal to **five thousand rupees**, consumer may pay the bill through cash or cheque or demand draft or electronic clearing system at designated counters of a bank or through credit or debit cards or online payment through distribution licensees' web portal or any digital mode of payment and any change or further addition in the mode of payment shall be more user friendly for the consumers than the prevailing system.

Provided that the distribution licensee may stipulate a suitable incentive or rebate for payment through online system for consumers who opt to pay bill amount less than or equal to **five thousand rupees**.

(4) The distribution licensee shall establish online portal as well as sufficient number of collection centres or drop boxes at suitable locations with necessary facilities, where consumer can deposit the bill amount with ease.

**11. Conditions to have over-riding effect**

All the above conditions of tariff shall be applicable to the consumer notwithstanding the provisions, if any, in the agreement entered into by the consumer with the Licensee.

## 6.2 Tariff Schedule for High Voltage (HV) Consumers

### 6.2.1 HV-1: All HV consumers

**Applicability**

This tariff is applicable to all HV consumers.

**Tariff:**

| Demand Charge (Rs./kVA/month) | Energy Charge (Rs. per kWh) |
|---|---|
| 251 | 5.09 |

The consumers of this category shall be eligible for Load Factor Rebate of 10% on Energy Charges calculated on entire energy consumption for consumption above monthly load factor of 75%.

**Notes:-**

i. For charging stations of Electric Vehicles, a flat rate single part tariff of Rs. 5.51 per unit shall be applicable.

### 6.2.2 Terms and Conditions of HV Tariff

**1. Point of Supply**

Power will be supplied to consumers ordinarily at a single point for the entire premises. HV industrial consumers can avail separate LV supply as per Clause 4.40 of the Chhattisgarh State Electricity Supply Code, 2011 and its amendments thereof, in the same premises.

## 2. Billing demand

The billing demand for any month shall be the maximum demand (in kVA) of the consumer recorded during the billing month or 80% of the contract demand whichever is higher. The billing demand shall be rounded off to the next whole number.

## 3. Determination of Demand

The maximum demand means the highest load measured by sliding window principle of measurement in average kVA at the point of supply of a consumer during any consecutive period of 15 minutes during the billing period.

## 4. Minimum Charge

The demand charge on contract demand (CD) is a monthly minimum charge whether any energy is consumed during the month or not.

## 5. Rounding off

The amount of HV energy bill shall be rounded off to the nearest multiple of Rs.10.

For example - the amount of Rs. 12345 will be rounded off to Rs. 12350 and Rs. 12344.95 shall be rounded off to Rs. 12340.

In view of the above provision no surcharge will be levied on outstanding amount, which is less than Rs. 10.

## 6. Delayed Payment Surcharge

If the bill is not paid by the consumer within the period prescribed (due date) for payment of the bill, a surcharge @ 1.5% per month or part thereof, on the total outstanding amount of the bill (including arrears, if any but excluding amount of surcharge), shall be payable in addition, from the due date of payment as mentioned in the bill.

## 7. Additional charges for Local Bodies

Every Local Body shall pay an additional charge equivalent to any tax or fee levied by it under the provisions of any law including the Corporation Act, District Municipalities Act or Gram Panchayat Act on the poles, lines, transformers and other installations through which the Local Body receives supply.

## 8. Advance Payment Rebate

For advance payment made before commencement of consumption period for which bill is to be prepared, a rebate @ 0.5% per month on the amount, which remains with the Licensee at the end of calendar month excluding security deposit, shall be credited to the account of consumer after adjusting any amount payable to the Licensee, subject to the net amount of advance being not less than Rs.20,000 and shall be adjustable in next month's bill.

## 9. Additional Charge for Exceeding Contract Demand

The consumers should restrict their maximum demand to the extent of contract demand. In case the maximum demand during any month exceeds the contract demand, the tariff at normal rate shall apply only to the extent of the contract demand and corresponding units of energy. The demand in excess of contract demand and corresponding units of energy shall be treated as excess supply. The excess supply so availed, if any, in any month shall be charged at one and half times of the normal tariff applicable to the consumer (demand and energy charges) for the excess demand to the extent of 20% of contract demand and at the rate of two times of normal tariff if the excess demand is found beyond 20% of contract demand.

Provided further that in case of excess supply to consumers having minimum contract demand of 150 MVA, and having captive generating plant(s) of capacity of at least 150 MW, such consumers shall have to pay an additional demand charges of Rs. 20/kVA/month on the quantum of power availed over and above its contract demand notwithstanding anything contained anywhere in this order. Further, energy consumed corresponding to excess supply shall be billed at normal tariff.

For the purpose of billing of excess supply, the billing demand and the units of energy shall be determined as under:-

i. **Billing Demand / Contract Demand:**

The demand in excess of the contract demand in any month shall be the billing demand/ contract demand of the excess supply.

ii. **Units Energy:**

The units of energy corresponding to kVA of the portion of the demand in excess of the contract demand shall be:

EU= TU (1-CD/MD)

Where

EU - denotes units corresponding to excess supply,

TU - denotes total units supplied during the month,

CD - denotes contract demand, and

MD - denotes maximum demand.

The excess supply availed in any month shall be charged along with the monthly bill and shall be payable by the consumer.

The billing of excess supply at one and half times/two times of the normal tariff applicable to consumer is without prejudice to JSPL-D's right to discontinue the supply in accordance with the provisions contained in the Chhattisgarh State Electricity Supply Code, 2011 and its amendments thereof.

i. No rebates/incentive is payable on such excess supply.

**10. Meter Hire**

Meter hire shall be charged as per the schedule of miscellaneous charges to all categories of HV consumers.

**11. Tax or Duty**

The tariff does not include any tax or duty, etc., on electrical energy that may be payable at any time in accordance with any law/State Government Rules in force. Such charges, if any, shall be payable by the consumer in addition to tariff charges.

**12. Dispute on applicability of tariff**

In case of any dispute on applicability of tariff on a particular category of HV industry/ consumer, the decision of the Commission shall be final and binding.

All the above conditions of tariff shall be applicable to the consumer notwithstanding the provisions, if any, in the agreement entered into by the consumer with the Licensee.

**16. Method of payment of Bills**

(1) Consumer shall have the option to pay bills online or offline.

(2) Bill amount of more than **five thousand rupees** shall mandatorily be paid online.

(3) For bill amounts less than or equal to **five thousand rupees** consumer may pay the bill through cash or cheque or demand draft or electronic clearing system at designated counters of a bank or through credit or debit cards or online payment through distribution licensees' web portal or any digital mode of payment and any change or further addition in the mode of payment shall be more user friendly for the consumers than the prevailing system.

Provided that the distribution licensee may stipulate a suitable incentive or rebate for payment through online system for consumers who opt to pay bill amount less than or equal to **five thousand rupees**.

(4) The distribution licensee shall establish online portal as well as sufficient number of collection centres or drop boxes at suitable locations with necessary facilities, where consumer can deposit the bill amount with ease.

## 6.3 Open Access Charges

### 1. Transmission Charges

The long-term and medium-term open access customers including JSPL-D shall be required to pay the Annual Transmission Charges approved by the Commission. Bills shall be raised for Transmission Charge on monthly basis by JSPL-T, and payments shall be made by the beneficiaries and long-term and medium-term open access customers directly to the JSPL-T. These monthly charges shall be shared by the long-term open access customers and medium-term open access customers as per allotted capacity proportionately. The monthly transmission charge is Rs. 41.51 lakh

### 2. Energy Losses for Transmission

Transmission Losses of 0.6% for the energy scheduled for transmission at the point or points of injection shall be recoverable from open access customers.

### 3. Wheeling Charges

For long-term, medium-term and short-term open access customer: Rs. 33.50/MWh (or Rs. 0.0335 per kWh) for the energy computed as per the provisions made in Regulation 33 of the CSERC (Connectivity and Intra State Open access) Regulations, 2011 and its subsequent amendment(s)/revision, if any, at 100% load factor for wheeling. The same charges shall be applicable for both collective and bilateral transactions at the point of injection.

**4. Energy losses for distribution**

Distribution Losses of 0.3% for the energy scheduled for distribution at the point or points of injection at 33 kV side of 33/11 kV sub-station shall be recoverable from open access customers.

**5. Operating Charges**

The short-term open access customer shall pay the Operating Charges to SLDC at the rate of Rs. 2000 per day.

**6. Cross Subsidy Charges**

Cross-Subsidy Charges shall be Nil, as the Average Billing Rate has been equated to the ACOS.

**7. Standby Charges**

The Standby Charges for consumers availing open access (using transmission and/or distribution system of Licensee) and who draw power from the grid up to the contracted capacity of open access during the outage of generating plant/CPP shall be 1.5 times of the per kWh weighted average tariff of HV consumers, which is Rs. 8.27 per kWh (1.5 times of the average billing rate of Rs.5.51 per kWh). For drawal of power in excess of the contracted capacity of open access, the tariff for availing standby support from the grid shall be two times of the per unit weighted average tariff of HV consumers, which is Rs. 11.02 per kWh (2 times of the average billing rate of Rs. 5.51 per kWh). Further, in case of outage of CPP supplying power to captive/non-captive consumer who has reduced its contract demand to zero and also availed open access draws power of JSPL-D, then billing of such power drawn shall be done as per the standby charges mentioned above.

**8. Intra-State Open Access Charges for Renewable Energy transactions**

a) Transmission Charges in cash for long-term/medium-term/short-term open access - NIL

b) Wheeling Charges in cash for long-term/medium-term/short-term open access - NIL

c) SLDC Charges (Operating Charges) for long-term/medium-term/short-term open access - NIL

d) The Open Access customers availing long-term/medium-term/short-term open access customers shall bear the energy loss specified as under:

   a. Energy Losses for using only the Transmission system of JSPL-T shall be 0.6%.

   b. Energy Losses/for using only distribution system of JSPL-D shall be 0.5%.

   c. Energy losses for using both the transmission system of JSPL-T and distribution system of JSPL-D or Combination thereof shall be 0.6%.