



TELANGANA STATE ELECTRICITY REGULATORY COMMISSION
5th Floor, Singareni Bhavan, Red Hills, Lakdi-ka-pul, Hyderabad 500 004

I. A. No. 4 of 2021
in
O. P. Nos. 21 & 22 of 2017

Dated 31.03.2022

Present

Sri T. Sriranga Rao, Chairman
Sri M. D. Manohar Raju, Member (Technical)
Sri Bandaru Krishnaiah, Member (Finance)

Between:

1. Southern Power Distribution Company of Telangana Limited,
Corporate Office, # 6-1-50, Mint Compound,
Hyderabad – 500 063.
2. Northern Power Distribution Company of Telangana Limited,
Corporate Office, H.No.2-5-31/2, Vidyut Bhavan,
Nakkalagutta, Hanamkonda, Warangal – 506 001.

... Applicants.

AND

- None -

... Respondent.

The application having stood over for consideration to this day, the Commission passed the following:

ORDER

Southern Power Distribution Company of Telangana Limited (TSSPDCL) and Northern Power Distribution Company of Telangana Limited (TSNPDCL) (applicants / TSDISCOMs) have filed an interlocutory application under Section 94(2) of the Electricity Act, 2003 (Act, 2003), seeking extension of the application of the retail supply tariff, cross subsidy surcharge and additional surcharge for FY 2021-22 upon expiry of the earlier tariff order on 31.03.2019 as extended for FY 2019-20 and FY 2020-21.

2. The applicants sought the following prayer in the application.

“It is therefore prayed that the Commission may be pleased to pass interim orders directing to continue the existing retail supply tariffs, cross subsidy surcharge and additional surcharge as determined in the tariff order dated 27.03.2018 from 01.04.2021 till issuance of the retail supply tariff, cross subsidy surcharge and additional surcharge orders for the financial year 2021-22.”

3. The Commission on an ad-interim measure passed an interim order dated 27.03.2021 that the retail supply tariffs, cross subsidy surcharge and additional surcharge as applicable on 31.03.2019 as per order dated 27.03.2018 are continued and made applicable and can be levied from 01.04.2021 subject to the communication of the State Government conveying the commitment of subsidy. Further, the tariff determined in respect of electric vehicle charging stations/battery swap as also in respect of concessional tariff to HMWSSB shall also stand continue from 01.04.2021 till the TSDISCOMs file their regular proposals and observed as below.

“5. In reply to the above letter, the State Government by its letter No.Energy-P1 / Tarf / 3 / 2021-P1-1, dated 27.03.2021 has stated as below:

I am to invite attention to the reference cited and inform that as per the Budget Estimates 2021-22 approved by Government, the budgetary support in the form of subsidy for the FY 2021-22 to the Energy Department will be as follows:

| (Rupees in Lakhs) | | | |
|--------------------------|-----------------------------|---|---------------------------------|
| S. No. | Head of Account | Scheme Name | Budget Estimates 2021-22 |
| 1 | “2801-05-800-25-06-330-000” | Assistance to TSTRANSCO for Agricultural and Allied Subsidy (General) | 766500.00 |
| 2 | “2801-05-789-25-06-310-312” | Assistance to TSTRANSCO for Agricultural and Allied Subsidy (SCSDF) | 178500.00 |
| 3 | “2801-05-796-25-06-310-312” | Assistance to TSTRANSCO for Agricultural and Allied Subsidy (STSDf) | 105000.00 |
| 4 | “2801-05-800-25- | Assistance to Spinning Mills | 14500.00 |

| | | |
|--------------|--|------------|
| 15-310-312” | | |
| Total | | 1064500.00 |

6. In the circumstances, the Commission considers the request of the TSDISCOMs for continuation of the existing tariff along with cross subsidy and additional surcharge with effect from 01.04.2021 till an order is passed by it on retail supply tariffs, cross subsidy surcharge and additional surcharge for FY 2021-22.

7. It is pertinent to state here that the Commission had earlier passed necessary orders determining the tariff in the matter of special category and tariff for electric vehicle charging stations / battery swap in the state of Telangana by order dated 15.11.2018 in I.A.Nos.36 and 37 of 2018 in O.P.Nos.21 and 22 of 2017. Also the Commission by order dated 18.07.2020 in O.P.No.18 of 2020 had extended the concessional tariff to Hyderabad Metropolitan Water Supply & Sewerage Board (HMWSSB) as per policy directions of the State Government.

8. Accordingly, the retail supply tariffs, cross subsidy surcharge and additional surcharge as applicable on 31.03.2019 as per order dated 27.03.2018 are continued and made applicable and can be levied from 01.04.2021 pending disposal of this application finally subject to the communication of the State Government conveying the commitment of subsidy as stated in paragraph 5 above. The tariff determined in respect of electric vehicle charging stations/battery swap as also in respect of concessional tariff to HMWSSB shall also stand continue from 01.04.2021 till the TSDISCOMs file their regular proposals. The TSDISCOMs are directed to file the regular petition for determination of fresh retail supply tariffs, cross subsidy surcharge and additional surcharge for FY 2021-22 immediately.”

4. Subsequently, the TSDISCOMs have filed proposals for aggregate revenue requirement for FY 2021-22 in April, 2021. The said petition was not accompanied by Filing for Proposed Tariff (FPT) in terms of Regulation No.4 of 2005 and also did not come to be filed, despite giving time for doing so. As such, the Commission had disposed of the said petition at SR stage by order dated 22.12.2021. It has been observed as below:

“... ..

5. As the licensees have not filed the proposals along with FPT within the stipulated period as specified in the Regulation No.4 of 2005, as there is less than 120 days in filing them for consideration. The Commission is unable to proceed with the filings in the present form on account of noncompliance of Regulation.

6. In these circumstances, the Commission deems it appropriate to decline from entertaining the ARR Petitions mainly for the reason that the time period for which they were sought was already lapsed. Hence, they are refused.”

5. In view of the non-filing of tariff proposals for retail supply, there is no final determination of tariff for retail supply for the relevant year and the period has already worked out itself. Further, the Commission in its order dated 24.12.2021 has determined Additional Surcharge for H2 of FY 2021-22 and by order dated 24.03.2022 has determined the retail supply tariff and cross subsidy surcharge for FY 2022-23. Accordingly, nothing survives in this application and no further orders are required. Therefore, the application is closed.

This order is corrected and signed on this the 31st day of March, 2022.

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|----------------------|---------------------|------------------|
| Sd/- | Sd/- | Sd/- |
| (BANDARU KRISHNAIAH) | (M.D.MANO HAR RAJU) | (T.SRIRANGA RAO) |
| MEMBER | MEMBER | CHAIRMAN |

//CERTIFIED COPY//