



TELANGANA ELECTRICITY REGULATORY COMMISSION
‘Vidyut Niyantran Bhavan’, G.T.S. Colony, Kalyan Nagar, Hyderabad 500 045

I. A. No. 2 of 2025

IN

O. P. No. 20 of 2025

Dated 29.04.2025

Present

Dr. Justice Devaraju Nagarjun, Chairman

Between:

TGTRANSCO for SLDC

...Petitioner

AND

NIL

...Respondent.

1. The petitioner / Chairman and Managing Director of TGTRANSCO has filed this application seeking for condonation of delay of 51 days in filing the Annual Tariff Petition for FY 2025-2026 for approval of the Aggregate Revenue Requirement (ARR) and proposed revised SLDC charges of SLDC activity of TGTRANSCO as per TGERC Multi Year Tariff (MYT) Regulation No. 2 of 2023.

2. Heard the petitioner and the stakeholders, perused the records.

3. As per Clause 6.2 (e) of Regulation No. 2 of 2023, after the 1st year of control period the annual petition by transmission licensee, distribution licensee and TGSLDC shall comprise true-up for preceding year, ARR for the control period of ensuing year, proposed revised tariff, charges for ensuing year of the control period

and to be filed on or before 30.11.2024. However, TGTRANSCO has filed the petition as referred above on 20.01.2025, with a delay of about 51 days.

4. During the public hearing held on 11.03.2025, Learned CMD of TGTRANSCO has submitted the reason for not filing the petition on time as per the regulation. It is submitted by him that this Commission has issued orders in tariff petition for the SLDC activity for the 5th Multi Year Tariff (FY 2024-2025 to FY 2028-2029) on 28.10.2024 and that there was hardly any time to go through and analyse the orders passed by this Commission on 28.10.2024 and thereby this petition could not be filed as per the regulation on or before 30.11.2024.

5. Learned CMD has also submitted that on account of sudden change of priorities on account of change of Government, the TGTRANSCO has also reset their priorities, accordingly, it took certain time to prepare the petitions and submit before the Commission. None of the persons present at the audience or none of the persons present online have raised the objection to the submission of learned CMD for condoning the delay in filing the petition. Therefore considering the above, submissions made by the learned CMD appear to be reasonable.

6. The Fee Regulation No. 2 of 2016 as amended in regulation no. 2 of 2022, goes to show that in case if the petitions are filed beyond the timelines fixed under regulation no. 2 of 2023, the petitioners can be levied with a penalty of an amount of Rs. 5,000/- per day for the first 30 days and after 30 days Rs. 1,50,000/- plus Rs. 10,000/- per day until the petition is submitted. That means harmonious reading of these two provisions in respect of timelines of filing the petition as per regulation no. 2 of 2023 and the fee regulation no. 2 of 2016 as amended, it is clear that the petitions can also be filed beyond the timelines as prescribed under regulation no. 2 of 2023. Therefore, even the petitions are filed beyond the timeline, they can be admitted for procedure and the orders can be passed. Imposition of penalty would arise when the reasons for delay are not convincing.

7. In case on hand, on account of delay in passing the orders by this Commission, delay in filing the petition occurred. As per the regulations, this Commission was expected to pass Multi Year Tariff for the period FY 2024-2025 to FY 2028-2029 on or before 31st of March 2024. Once Multi Year Tariff has been fixed by this Commission, then the petitioner will get an opportunity to prepare the

plans for the next financial year and submit the revised petition for FY 2025-26. However as observed above, this Commission has passed orders in MYT for FY 2024-2025 to FY 2028-2029 on 28.10.2024 which should have been passed in the month of March 2024. Therefore, as rightly submitted by learned CMD of the TGTRANSCO there was no time for the TGTRANSCO to go through the orders and prepare the revised proposals for FY 2025-2026. Therefore, the submissions made by the petitioner in respect of the reasons for filing the petitions for delay of 51 days can be accepted and the delay can be condoned.

8. In view of the discussion above, this application for condoning the delay of 51 days in filing O. P. No. 20 of 2025 is hereby allowed and the delay condoned.

This Order is typed to dictation, corrected and signed on this 29th day of April, 2025.

Sd/-
(Dr. JUSTICE DEVARAJU NAGARJUN)
CHAIRMAN

// CERTIFIED COPY //