



BEFORE

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION,
LUCKNOW**

Petition No. 1057of 2015

IN THE MATTER OF:

Application for Approval of Annual Revenue Requirement and Determination of Tariff for the Financial Year 2016-17 and True-up for the Financial Year 2014-15 in terms of Regulation 135 of the Uttar Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2004 read with Section 64(1) of the Electricity Act, 2003 and Section 24(4) of the U.P. Electricity Reforms Act, 1999 and provisions of the Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2006 and Uttar Pradesh Electricity Regulatory Commission (Multi Year Distribution Tariff) Regulations, 2014.

And

IN THE MATTER OF:

Noida Power Company Limited, Greater Noida

ORDER

As per provisions of Section 64 of the Electricity Act, 2003, it is incumbent upon the Licensees to make an application to the State Regulatory Commission for determination of Tariff in such manner as may be determined by Regulations framed by the Commission.

The UPERC framed the UPERC (Terms and Conditions of Distribution Tariff) Regulations, 2006 (henceforth referred as Distribution Tariff Regulations) notified on October 6, 2006. As per the provisions stipulated in Regulation 2.1.1, the licensees are required to file before this Commission a Petition for determination of Aggregate Revenue Requirement (ARR) / Tariff for FY 2016-17 complete in all respect on or before November 30, 2015.

Further, the Commission has framed Uttar Pradesh Electricity Regulatory Commission (Multi Year Distribution Tariff) Regulations, 2014 notified on May 12, 2014. These Regulations shall be applicable for determination of Tariff in all cases covered under these Regulations from April 1, 2015 to March 31, 2020, unless extended by an Order of the Commission. Embarking



upon the MYT framework, the Commission has divided the period of five years (i.e. April 1, 2015 to March 31, 2020) into two periods namely –

- a. Transition period (April 1, 2015 to March 31, 2017)
- b. Control period (April 1, 2017 to March 31, 2020)

The transition period being of two years and the first control period being of three years, the Commission shall continue with the existing Annual ARR / Tariff Framework for determination of ARR / Tariff of the Distribution Licensee (i.e. as per Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2006) during the transition period.

M/s Noida Power Company Limited (hereinafter referred to as “NPCL”), had filed a Petition before the Commission on November 26, 2015 for determination of its Annual Revenue Requirement (ARR) and Tariff for FY 2016-17 and True-up for FY 2014-15 under Regulation 135 of UPERC (Conduct of Business) Regulations, 2004, read with Section 64 of the Electricity Act, 2003 and Section 24(4) of the UP Electricity Reforms Act, 1999 and the Provisions of UPERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2006 and Uttar Pradesh Electricity Regulatory Commission (Multi Year Distribution Tariff) Regulations, 2014.

Certain deficiencies were observed in the ARR and True up Petition filed by the Licensee. In this regard, First Deficiency Note was issued by the Commission vide letter dated January 29, 2016, wherein the Licensee was directed to submit its replies within 10 days from the date of issuance of the First Deficiency Note. The Commission issued Second Deficiency Note on February 10, 2016 wherein the Licensee was directed to submit its replies within 10 days from the date of issuance of the Second Deficiency Note.

A reminder vide letter dated February 22, 2016 was sent to the Licensee to submit the replies to the first and second Deficiency Notes at the earliest. Subsequently, NPCL submitted its replies to the first and second set of deficiencies vide its letters dated February 24, 2016 and February 26, 2016 respectively. Most of the critical data as required by the Commission for the acceptance/admission of the Petition has been submitted by the Licensee.

The Commission now finds the information / data submitted by NPCL to be generally in order and accordingly admits the Petition submitted by NPCL for further processing.

The Commission hereby directs NPCL to publish within 3 days from the issue of this Order, the Public Notice detailing the salient information and facts of the ARR / Tariff Petition for FY 2016-17 and True-up for FY 2014-15 along with its website address in at least two daily newspapers (One English and One Hindi) for two successive days inviting views / comments / suggestions / objections / representations within 15 days from the date of publication of



the Public Notice(s) by all stakeholders and public at large. The Public Notice(s) should also contain the details of the cumulative revenue gap (regulatory asset) and its treatment, proposed 'Regulatory Surcharge', distribution losses, average power purchase cost, average cost of supply, average retail tariff realised from each category / sub-category of consumers and the % of tariff increase proposed for each category/sub category of consumers to cover the revenue gap. The Public Notice(s) should inform the stakeholders and public at large to regularly check the website of the Licensee for further submissions made in respect to these proceedings. The Commission further directs the Petitioner to put all details on its internet website, in PDF format, showing detailed computations, the application made to the Commission along with all regulatory filings, information, particulars and documents, clarifications and additional information on inadequacies etc. and all subsequent events and material placed on record if any, made before the issuance of final Order. The licensee will also inform the Commission of the same by providing the internet links. The Petitioner shall not provide or put up any such information, particulars or documents, which are confidential in nature, without the prior approval of the Commission.

The Commission reserves the right to seek any further information / clarifications as deemed necessary during the processing of this Petition.

(S. K. Agarwal)
Member

(I. B. Pandey)
Member

(Desh Deepak Verma)
Chairman

Place: Lucknow

Date: March 29, 2016