



BEFORE

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

Petition No. 2166/2024

IN THE MATTER OF:

Petition No. 2166/2024 for Truing-Up for FY 2023-24, Annual Performance Review (APR) for FY 2024-25 and Revised Annual Revenue Requirement (ARR) for FY 2025-26 of Uttar Pradesh Power Transmission Ltd. (UPPTCL) and Intra-State Transmission for FY 2025-26 of State Transmission Utility (STU).

ORDER

BACKGROUND:

The Electricity Act, 2003 under Section 64 stipulates the Licensee to file an application before the State Electricity Regulatory Commission for determination of tariff in such manner as may be specified by the Commission as per the applicable Regulations.

The Commission had notified the Uttar Pradesh Electricity Regulatory Commission (Multi Year Tariff for Distribution and Transmission) Regulations, 2019 (herein after referred as UPERC MYT Regulations, 2019) on September 23, 2019. These Regulations are applicable for determination of tariff in all cases covered under these Regulations from April 1, 2020 to March 31, 2025 unless reviewed earlier or extended by the Commission.

As per the provisions stipulated in Regulation 4 of MYT Regulations, 2019, the Petition for determination of True-Up, Annual Performance Review (APR) and Aggregate Revenue Requirement (ARR)/Tariff, complete in all respect have to be filed by the Transmission Licensee for each year of the Control Period (FY 2020-21 to FY 2024-25) before the Commission on or before November 30th of concerned year.

Thereafter, the Commission had notified the UPERC (Multi Year Tariff for Transmission) Regulations, 2025 (hereinafter referred as 'MYT Transmission Regulations 2025') on June 06, 2025. The MYT Transmission Regulations 2025 is applicable for the control period from April 01, 2025 to March 31, 2030, unless extended by the Commission.

Further, the Commission vide letter no. UPERC/D(T&S)/JD(T)/156-386 dated 23rd June 2025 directed UPPTCL/STU to submit its ARR and Petition for Intra-State Transmission Tariff for FY 2025-26 as per MYT Transmission Regulations 2025 latest by 10th July 2025. The Commission also shared the formats with UPPTCL for submitting information

by

3



pertaining to the ARR as per MYT Transmission Regulations 2025. The relevant para of the letter is as below:

"The UPERC (Multi Year Tariff for Transmission) Regulations, 2025 were framed by the Commission vide notification no. UPERC/D(T)/JD(Transmission)/156-012, dated 06.06.2025. Accordingly, the formats for the control period from 01.04.2025 to 31.03.2030 for filing of True up/ APR/ ARR have been prepared.

The Tariff Petition i.e. True Up for FY 2023-24, APR for FY 2024-25 and ARR for FY 2025-26 as per the UPERC (MYT for Distribution and Transmission) Regulations, 2019 has already been filed by the UPPTCL. Further, the formats for True up of FY 2023-24 and APR for FY 2024-25 have already been submitted by the UPPTCL along with the tariff petition for True up of FY 2023-24, APR for FY 2024-25 and ARR for FY 2025-26. However, with the issue of new regulations, the ARR/Tariff for FY 2025-26 will have to be determined based on the principles contained in MYT Regulations for the control period from 01.04.2025 to 31.03.2030.

Accordingly, it is directed to provide the information pertaining to the ARR for FY 2025-26, along with supporting documents and relevant submissions, if any, in the enclosed formats by 10.07.2025. The soft copy of the formats has been sent via email as well."

LICENSEES SUBMISSION:

Uttar Pradesh Power Transmission Corporation Ltd. (hereinafter referred to as 'UPPTCL'/ 'Petitioner') filed its ARR Petition 2166/2024 for determination of True-Up for FY 2023-24, APR for FY 2024-25 and ARR & Tariff for FY 2025-26 before the Commission on November 29, 2024, along with the audited accounts for FY 2023-24, as per the UPERC MYT for Distribution and Transmission Regulations, 2019.

The Petitioner, vide letter dated July 03, 2025, requested an extension of 10 days, i.e., until July 20, 2025, for filing the revised ARR and Intra-State Transmission Petition for FY 2025-26 (in the capacity of STU), citing a change in the principles and methodology under the notified MYT for Transmission Regulations, 2025, as compared to the earlier MYT Regulations, 2019.

Thereafter UPPTCL/STU submitted its revised ARR and Intra-State Transmission Petition for FY 2025-26 before the Commission on July 21, 2025 following the principles and methodologies of the MYT Transmission Regulation, 2025.

PRELIMINARY OBSERVATION:

The Commission had conducted a preliminary analysis of the above Petition submitted on November 29, 2024 and certain deficiencies were observed which were raised to the Petitioner vide letters/email dated January 20, 2025, and April 16, 2025 and some deficiencies were raised vide Minutes of Meeting dated July 23, 2025 of TVS conducted on July 23, 2025 against the revised petition.

In preliminary analysis, deficiencies were sought which were related to CAG Report for FY 2023-24, MYT formats in excel formats, appeals/ cases pending in various Tribunals/



Courts against the orders of the Commission, de-capitalized assets, capital work in progress, capital expenditure and capitalisation, computation of interest rate on long term loan, O&M expenses, calculation of depreciation, subsidy, loan taken, interest capitalized, finance charges, compliance of directives issued by the Commission in its previous Tariff Orders along with various other deficiencies.

LICENSEE RESPONSE:

The Petitioner submitted its response to the data deficiency in respect to True-Up of FY 2023-24, APR of FY 2024-25, ARR/Tariff of FY 2025-26 vide following letters:

- a) Letter No.110 Dir(P&C)/UPPTCL/2025 dated February 04, 2025.
- b) Letter No. 323 Dir(P&C)/UPPTCL/2025 dated May 20, 2025.
- c) Revised submission for ARR and Intra-State Transmission Tariff for FY 2025-26, filed on July 21, 2025, in accordance with MYT for Transmission Regulation, 2025.

The Technical Validation Session (TVS) on the True Up, APR and ARR/Intra-State Transmission Tariff Petition of the Petitioner (UPPTCL/STU) was conducted on July 23, 2025, which was attended by the officials of the Commission and the Petitioner. During TVS, UPPTCL/STU explained various issues raised in the deficiencies and provided clarifications on the queries raised by officials of the Commission. The fresh queries, related to information submitted pertaining to pending data / information, were sought vide minutes of meeting (M.O.M.) dated 23rd July 2025.

COMMISSION'S OBSERVATIONS & DIRECTIONS:

The Petitioner has filed the Petition in accordance with UPERC MYT for Distribution and Transmission Regulation 2019, MYT for Transmission Regulation 2025 and letter no. UPERC/D(T&S)/JD(T)/156-386 dated June 23, 2025. The Petitioner has submitted data in compliance with Clause 2 and Clause 3 of Regulation 3 of the new MYT Regulations and has made submission dated 21.07.2025 for ARR and Intra-State Transmission (in the capacity of STU) as per UPERC MYT for Transmission Regulations 2025.

Further, the Commission admits the Tariff Petition No. 2166/2024 of the Petitioner. The Commission further directs UPPTCL/STU to submit the response on matters raised in TVS and previous pendency, if any. The Petitioner is also being directed that it shall furnish further information / clarifications, if any, as deemed necessary by the Commission during the processing of the Petition and provide the same to the satisfaction of the Commission within the time frame as stipulated by the Commission. In case of failure in compliance of such directions, the Commission shall dispose of the concerned matter as found deemed fit by it based on the available information.

Clause (8) of Regulation 3 of UPERC (MYT for Transmission) Regulations, 2025 specifies as under:

"The Petitioner shall within three working days of the issuance of the Admittance Order, publish a Public Notice in at least two English and two Hindi daily newspapers



having wide circulation in its license area, outlining the True-Up/APR/ARR, proposed Tariff and such other matters as may be directed by the Commission, inviting suggestions and objections from the stakeholders and public at large:

Provided that the Petitioner shall also provide on its website the Petition filed before the Commission along with all regulatory filings, detailed computations, particulars and documents, in text-searchable format or in downloadable spreadsheet format in the manner stipulated by the Commission:

Provided also that the web link to the information mentioned in the first proviso to this Regulation should be easily accessible, archived for downloading and be prominently displayed on the Petitioner's website:

Provided also that Petitioner shall intimate its stakeholders about filing of such Petition, period of public consultation, date of Public Hearing etc. through appropriate notice on its website and newspapers:

Provided further that the Petitioner may be exempted by the Commission from providing any such information, particulars or documents considered confidential in nature."

Accordingly, the Petitioner shall publish a Public Notice within three working days of issue of the Admittance Order in at least two English and two Hindi daily newspapers having wide circulation, outlining the ARR, proposed Intra-State Transmission Charges, APR, True-Up etc., and invite suggestions and objections within 21 days from the date of publication of the Public Notice(s) from the stakeholders and public at large.

The Public Notices should indicate that the stakeholders should regularly check the website of the Petitioner for further submissions made in respect to these proceedings.

The Petitioner shall also upload on its website the True up Petitions, the APR Petition and updated ARR and Intra-State Transmission Tariff along with formats filed before the Commission along with all regulatory filings, information, particulars, and related documents in their original version (not in zipped or compress folder), which shall be signed digitally and in searchable pdf formats along with all Excel files and as per any other provision of the Regulations and Order of the Commission. The Petitioner shall also ensure that those files are broken into such size which can be easily downloaded. The Petitioner shall also ensure that for downloading the same, there is no requirement of providing personal information. 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 Petitioner shall inform the Commission, about the details of publication of the Public Notice in the newspapers and uploading on the website along with the links. The Petitioner are also required to submit the copies of the newspapers and screen shots of the website within 7 days of publication of the Public Notice.

54

3



The Commission proposes to hold the Public Hearings in August 2025, the details of which will be provided subsequently on the Commission's website www.uperc.org.

The Petitioner shall take all necessary steps to ensure the necessary arrangements for smooth functioning of the same in accordance with the guidelines / instructions issued in this regard by the Commission.

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

(Sanjay Kumar Singh)
Member

(Arvind Kumar)
Chairman

Place: Lucknow

Date: 25 July 2025