



उत्तराखण्ड पावर कारपोरेशन लि०

(उत्तराखण्ड सरकार का उपक्रम)

Uttarakhand Power Corporation Ltd.

(A. Govt. of Uttarakhand Undertaking)

CIN : U40109UR2001SGC025867

Email ID: ugmupcl@yahoo.com, Website: www.upcl.org

No. 4184... /UPCL/RM/B-24

Dated: 30 -12-2021

BEFORE THE UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

INDEX

IN THE MATTER OF: APPLICATION FOR DETERMINATION OF ADDITIONAL SURCHARGE IN ACCORDANCE WITH THE PROVISIONS OF UERC (TERMS AND CONDITIONS OF INTRA - STATE OPEN ACCESS) REGULATIONS, 2015 TO MEET THE FIXED COST OF UPCL ARISING OUT OF ITS OBLIGATION TO SUPPLY ELECTRICITY TO THE OPEN ACCESS CONSUMERS.

AND

IN THE MATTER OF: UTTARAKHAND POWER CORPORATION LIMITED.
.....Petitioner

S. No.	Particulars	Page No.
1.	Petition	1-7
2.	Affidavit verifying the accompanying petition	8-9
3.	Annexure - A (Power purchase data for the period from April, 2021 to September, 2021)	10-13
4.	Annexure - B (The data of stranded energy and open access energy)	In soft Copy


(Ajay Agarwal)
Director (Projects)

File No.

Case No.

BEFORE THE UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF: Application for determination of Additional Surcharge in accordance with the provisions of UERC (Terms and Conditions of Intra - State Open Access) Regulations, 2015 to meet the fixed cost of UPCL arising out of its obligation to supply electricity to the open access consumers.

And

In the matter of: Uttarakhand Power Corporation Limited.

.....Petitioner

The humble applicant most respectfully showeth:

1. Specific Legal Provision under which Petition is being filed:

(i) Section-42(4) of the Electricity Act, 2003 stipulates as follows:

"Where the State Commission permits a consumer or class of consumers to receive supply of electricity from a person other than the distribution licensee of his area of supply, such consumer shall be liable to pay an additional surcharge on the charges of wheeling, as may be specified by the State Commission, to meet the fixed cost of such distribution licensee arising out of his obligation to supply."

(ii) Ministry of Power, Government of India, in compliance of Section-3 of the Electricity Act, 2003, issued Tariff Policy on 28-01-2016. Section- 8.5.4 of this policy stipulates as follows:

"The additional surcharge for obligation to supply as per section 42(4) of the Act should become applicable only if it is conclusively demonstrated that the obligation of a licensee, in terms of existing power purchase commitments, has been and continues to be stranded, or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. The fixed costs related to network assets would be recovered through wheeling charges."

Aion

—

(iii) Regulation 23 of the of UERC (Terms and Conditions of Intra State Open Access) Regulations, 2015 provides as follows for applicability of Additional Surcharge:

"(1) Any consumer, receiving supply of electricity from a person other than the distribution licensee of his area of supply, shall pay to the distribution licensee an additional surcharge on the charges of wheeling, in addition to wheeling charges and cross-subsidy surcharge, to meet out the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of Section 42 of the Act.

(2) This additional surcharge shall become applicable only if the obligation of the licensee in terms of power purchase commitments has been and continues to be stranded or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. However, the fixed costs related to network assets would be recovered through wheeling charges.

(3) The distribution licensee shall submit to the Commission, on six monthly basis, a detailed calculation statement of fixed cost which the licensee is incurring towards his obligation to supply.

The Commission shall scrutinize the statement of calculation of fixed cost submitted by the distribution licensee and obtain objections, if any, and determine the amount of additional surcharge.

Provided that any additional surcharge so determined by the Commission shall be applicable on prospective basis on all open access consumers.

(4) Additional surcharge determined on per unit basis shall be payable, on monthly basis, by the open access consumers based on the actual energy drawn during the month through open access.

Done

Provided that such additional surcharge shall not be levied in case distribution access is provided to a person who has establish a captive generation plant for carrying the electricity to the destination of his own use."

2. Limitation:

- (i) Hon'ble Commission vide its order dated 29-08-2019 directed as follows in the matter:

"UPCL is hereby directed to file all future Petitions for levy of additional surcharge on open access consumers for the period April to September of the financial year based on the data of the corresponding previous period by 31st December and for the period October to March of the financial year based on the data of the corresponding previous period by 30th June of the same financial year."

- (ii) As per direction of Hon'ble Commission, this petition is being filed within stipulated time i.e. upto 31-12-2021.

3. Facts of the Case:

- (i) As per methodology approved by the Hon'ble Commission in the order dated 29-08-2019, the claim of additional surcharge to be levied and collected for the period from 01-04-2022 to 30-09-2022 is mentioned hereinbelow.
- (ii) The details of stranded energy due to open access and open access drawn by the open access consumers at State Periphery for the period from April, 2021 to September, 2021 are as follows:

S. No.	Month	Stranded Energy (MU)	Open Access Energy (MU)
1	April,21	1.82	2.19
2	May,21	6.08	6.07
3	June,21	7.89	7.89
4	July,21	10.09	10.14
5	August,21	3.54	8.46
6	September,21	1.55	4.09
Total		30.97	38.84

Di

(iii) The details of powers surrendered from 06 plants for the period from April, 2021 to September, 2021 are as follows:

S. No.	Name of Plant	Energy Received at State Periphery (MU)	Energy Surrendered at State Periphery (MU)	Total Energy Entitled at State Periphery (MU)	Total Fixed Costs Incurred (Rs. Cr)	Avg. Fixed cost (Rs/ kWh)
1	Jhajjar Aravali	32.87	8.51	41.38	5.64	1.36
2	Dadri Gas	27.40	33.71	61.11	8.26	1.35
3	FG Unchahar-3	32.76	13.27	46.03	6.08	1.32
4	FG Unchahar-4	79.58	29.43	109.01	16.84	1.54
5	Anta	1.15	30.22	31.37	5.41	1.72
6	Auriya	7.45	66.30	73.75	7.82	1.06
Total		181.21	181.45	362.66	50.05	1.38

(iv) The computation of per unit additional surcharge to be levied for the period from 01-04-2022 to 30-09-2022 has been done as follows:

S. No.	Particulars	Value
a	Average fixed cost at State periphery (Rs. / unit)	1.38
b	Average fixed cost at consumer end after considering approved PTCUL losses @ 1.40% and distribution losses 13.75% @ (Rs. / unit)	1.62
c	Stranded energy (MU)	30.97
d	Open access energy (MU)	38.84
e	Proposed additional surcharge (b x c / d) (Rs. / unit)	1.29

(v) The commercial data for the period from April, 2021 to September, 2021 is attached herewith as **Annexure - A**. Further, the data of stranded energy and open access energy is also attached as **Annexure - B** in soft copy.

Di