



submitted the response to the deficiencies in respect to True Up for FY 2020-21, APR for FY 2021-22 and ARR & Tariff for FY 2022-23 on January 13, 2022, February 24, 2022, and March 8, 2022, respectively.

In reply, NPCL submitted the Inter-State Transmission Charges of Rs. 14.92 Crore were segregated from energy cost and included under the Inter-State Transmission Charges separately. As regards capex, NPCL submitted that the detailed breakup of capex for FY 2020-21 has been submitted in the Petition. NPCL further submitted that the depreciation has been computed as per the methodology followed by the Commission. As regards details as per the additional formats, NPCL submitted that it has already provided the requisite details /data/ response for each prescribed format based on information/ data available. As regards to impact of additional coal for FY 2020-21 of DIL and change in law for FY 2019-20 and FY 2020-21 of DIL, NPCL submitted that the impact has been provided in the financial statements for FY 2020-21.

The Petitioner vide its letter dated February 4, 2022, submitted the additional affidavit with regard to additional cost pursuant to DIL's Truing-Up order dated November 22, 2021. NPCL requested the Commission to consider and approve the consequential additional cost of power procured from DIL along with carrying cost as requested by NPCL.

The Technical Validation Session (TVS) was conducted on February 11, 2022, virtually, which was attended by the senior officials of the Commission and NPCL and during the TVS, NPCL explained various issues raised in the deficiencies. Subsequently, Minutes of Meeting (M.O.M) along with pending data / information were issued. Pending information for claim of carrying cost on True-Up value of DIL for FY 2016-17 to FY 2018-19, justification for mis-match of values of 2 schemes having value above Rs. 10.00 Crore in ARR Petition and proposed capex Petition, year-wise breakup of Income Tax along with any further details.

In reply, NPCL submitted that it has computed the consequential carrying cost considering the Tariff approved in DIL's Truing-Up Order of respective years and claimed the total additional cost to be considered in its APR of FY 2021-22. As regards, the details of 2 schemes having project cost more than Rs. 10.00 Crore, NPCL submitted that in ARR Petition for FY 2022-23, the cost of projects above Rs. 10.00 Crore was estimated based on broader parameters and in Detailed Project report (DPR) each project item was considered in detail for the computation of total cost of the project. Further submitted that, the variation in total cost of the project is not significant in the proposed capex Petition and ARR Petition for FY 2022-23. As regards to Income Tax details, NPCL submitted that for statutory audit, provision for Income Tax expenses is based on estimates in audited accounts. Further after the assessment by Income Tax authorities, necessary adjustment is passed in the financial statements. Further, the Petitioner has not proposed any revision in Tariff and requested the Commission to continue with existing Tariff.

Taking into consideration all of the above, the Commission admits the Petitions for further processing. The Commission directs NPCL to submit the pending responses immediately and





also directs NPCL 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, failing which the Commission may proceed to dispose of the matter as it deems fit based on the information available with it.

Regulation 5.8 of MYT Regulations, 2019 specifies as under:

Quote

*5.8 The Petitioner shall within three working days of issue of the Admittance Order, publish a Public Notice in at least two English and two Hindi daily newspapers having wide circulation in its licence area, outlining the ARR, proposed Tariff, True-Up and such other matters as may be directed by the Commission, and inviting suggestions and objections from the stakeholders and public at large:*

*Provided that the Petitioner shall also upload on its website the Petition filed before the Commission along with all regulatory filings, information, particulars and documents in the manner stipulated by the Commission. The Petitioner should ensure that there is no requirement of providing personal information for downloading the same:*

Unquote

Accordingly, the Petitioner shall, within three working days of issue of this Admittance Order, publish a Public Notice in at least two English and two Hindi daily newspapers having wide circulation in their licence areas, outlining the True-Up, ARR, approved and actual Distribution and Transmission losses for FY 2020-21 & 2021-22 along with proposed losses for FY 2022-23, Power Purchase Cost, Average Cost of Supply, Average Retail Tariff from each category / sub-category / slab of consumers, wheeling charges, cross subsidy surcharge and additional surcharge for Open Access consumers etc. and such other matters, if any, as directed by the Commission, and invite suggestions and objections within 15 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 websites of the Petitioners for further submissions made in respect to these proceedings.

The Petitioner shall also upload on its website the Petition filed before the Commission along with all regulatory filings, information, particulars, and related documents, which shall be signed digitally and in searchable pdf formats along with all Excel files. 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 is

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also required to submit the copies of the newspapers and screen shots of the website within 7 days of publication of the Public Notice.

It is pertinent to mention that the Commission, in wake of prevailing waves of COVID-19 pandemic outbreak and due to the subsequent requirement of social distancing for prevention of spread of the disease, proposes to hold the Public Hearings in June through video conferencing.

The details of the same will be provided subsequently on the Commission's website [www.uperc.org](http://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 from time to time.

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

**(Vinod Kumar Srivastava)**  
**Member (Law)**

**(Kaushal Kishore Sharma)**  
**Member**

**(Raj Pratap Singh)**  
**Chairman**

Place: Lucknow

Date: 21<sup>st</sup> April, 2022

