

- 6) The Commission based on the Petitioner's submissions, relevant MYT Regulations, facts of the matter, rules and provisions of the Electricity Act, 2003 and after proper due diligence and prudence check, has approved the Business Plan for 3<sup>rd</sup> MYT Control Period from FY 2022-23 to FY 2024-25, which covers the sales forecast, consumer growth forecast, connected load forecast, fixation of T&D loss trajectory, capital investment plan, power procurement plan etc. Further, the relevant chapters giving detailed reasons, grounds and conditions are an integral part of this Order.
- 7) Ordered accordingly.

Sd/-

**(Jyoti Prasad)**  
**Member (Law)**

Place: Gurugram

Date: 11<sup>th</sup> July 2022

**(Certified Copy)**



**(Rakesh Kumar)**  
**Secretary, JERC**

# 1 Chapter 1: Introduction

## 1.1 About Joint Electricity Regulatory Commission for the State of Goa and UTs (JERC)

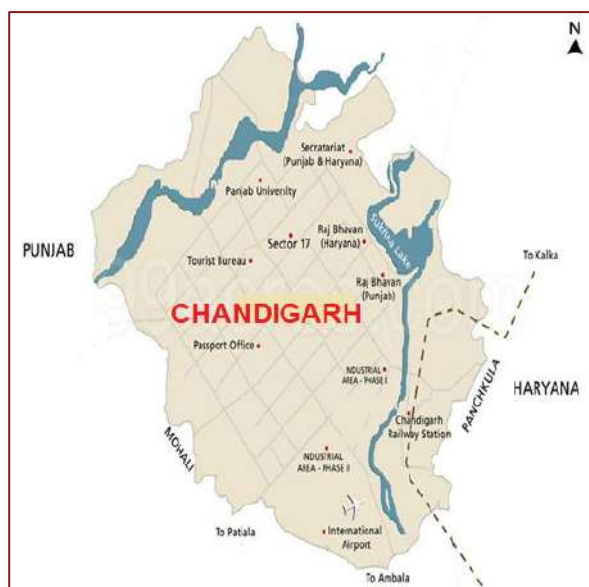
In exercise of powers conferred by the Electricity Act 2003, the Central Government constituted the Joint Electricity Regulatory Commission for all the Union Territories except Delhi to be known as “Joint Electricity Regulatory Commission for the Union Territories” vide notification no. 23/52/2003-R&R dated 2<sup>nd</sup> May 2005. Later with the joining of the State of Goa, the Commission came to be known as “Joint Electricity Regulatory Commission for the State of Goa and Union Territories” (hereinafter referred to as “JERC” or “the Commission”) vide notification no. 23/52/2003-R&R (Vol. II) dated 30<sup>th</sup> May 2008.

JERC is a statutory body responsible for regulation of the Power Sector in the State of Goa and Union Territories of Andaman & Nicobar Islands, Lakshadweep, Dadra & Nagar Haveli and Daman & Diu, Chandigarh, and Puducherry, consisting of generation, transmission, distribution, trading and use of electricity etc. Its primary objective includes taking measures conducive to the development of the electricity industry, promoting competition therein, protecting the interests of consumers and ensuring supply of electricity to all areas.

## 1.2 About Union Territory of Chandigarh

Chandigarh is a city, district and union territory in India that serves as the capital of the two neighbouring states of Punjab and Haryana. It is bordered by the state of Punjab to the north, the west and the south, and by the state of Haryana to the east. The city is unique as it is not a part of either of the two states but is governed directly by the Union Government, which administers all such territories in the country. Chandigarh is located near the foothills of the Shivalik range of the Himalayas in northwest India. It covers an area of approximately 114 km<sup>2</sup>. The metropolitan area of Chandigarh–Mohali–Panchkula collectively forms a Tri-city, with a combined population of over 2 million.

Chandigarh has been rated as one of the "Wealthiest Towns" of India. The city has one of the highest per capita incomes in the country. The city was reported to be one of the cleanest in India based on a national government study. The union territory also heads the list of Indian states and territories according to Human Development Index. In 2020, a survey ranked it among the top 3 happiest cities in India over the happiness index.



## 1.3 About Electricity Wing of Engineering Department, Chandigarh (EWEDC)

The Electricity Wing of Engineering Department of UT Administration of Chandigarh, hereinafter referred to as ‘EWEDC’ or as the ‘Petitioner’, a deemed licensee under Section 14 of the Electricity Act 2003, is carrying out the business of transmission, distribution and retail supply of electricity in Chandigarh (UT). EWEDC is functioning as an integrated distribution licensee of the Union Territory of Chandigarh. EWEDC procures most of its power through its allocation from Central Generating Stations (CGS) such as NTPC, NHPC, NPCIL BBMB, SJVNL and THDC. The EWEDC also buys short-term power for meeting the demand-supply shortfall during peak hours.

Chandigarh has been divided into various sectors and all the sectors of Chandigarh are electrified and any desiring consumer can avail power supply by submitting a requisition in the prescribed form to the appropriate office of the Department subject to fulfillment of the requisite conditions and payment of charges. The EWEDC is under the control of the Administration of the Union Territory of Chandigarh.

The Government of India has announced Aatma Nirbhar Bharat Abhiyan in May, 2020 to make India self-reliant through structural reforms. One of the key reform measures planned is to reform power distribution and retail supply in Union Territories. Accordingly, Ministry of Power convened a meeting on 12<sup>th</sup> May 2020 through Video Conference in the matter of privatization of power in the UT Chandigarh along with other UTs wherein direction was given to complete the entire process of privatization of Distribution system within the specified timelines.

The UT Administration of Chandigarh after obtaining the approval of the Hon'ble Governor of Punjab-cum-Administrator, UT of Chandigarh conveyed the decision to the Ministry of Power (MoP) for privatization of Electricity Wing of Engineering Department Chandigarh (EWEDC) on 20<sup>th</sup> May 2020.

Accordingly, the Request for Proposal for sale of 100% share of Electricity Distribution Network and transmission assets at Extra High Voltage (EHV) level as per Electricity Act, 2003, of Electricity Wing of Engineering Department Chandigarh (EWEDC) – Present Licensee was floated.

The Administrative approval & expenditure sanction and in-principle approval of cabinet was sought for Bid process done to select the highest bidder for sale of 100% equity share of the proposed distribution company. Approval is also sought for the formation of the company by the name of Chandigarh Power Distribution Company Limited (CPDCL), in which the assets of the existing Electricity Wing of Engineering Department Chandigarh (EWEDC) shall be transferred.

The Union Cabinet has accorded its approval to the Cabinet Note on dated 7<sup>th</sup> January 2022. Further, the process of privatisation is underway and change of management is expected in early part of FY 2022-23.

## ***1.4 Multi Year Tariff Regulations, 2021***

The Commission notified the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Generation, Transmission and Distribution Multi Year Tariff) Regulations, 2021 (hereinafter referred to as MYT Regulations, 2021) on 22<sup>nd</sup> March 2021. These Regulations are applicable in the 3<sup>rd</sup> MYT Control Period comprising of three financial years from FY 2022- 23 to FY 2024-25. These Regulations are applicable to all the generation companies, transmission and distribution licensees in the State of Goa and Union Territories of Andaman & Nicobar Islands, Lakshadweep, Dadra & Nagar Haveli and Daman & Diu, Chandigarh, and Puducherry.

## ***1.5 Filing and Admission of the Present Petition***

The present Petition was admitted on 8<sup>th</sup> April 2022 and marked as Petition No. 79 of 2022. The Commission and the Petitioner subsequently uploaded the Petition on their respective websites.

## ***1.6 Interaction with the Petitioner***

A preliminary scrutiny/analysis of the Petition was conducted, and certain deficiencies were observed. Accordingly, discrepancy notes were issued to the Petitioner. Further, additional information/clarifications were solicited from the Petitioner as and when required. The Commission and the Petitioner also discussed various concerns of the Petitioner and key data gaps, which included retail sales, revenue from retail tariff, capitalization, etc. The Petitioner submitted its response to the issues through various letters/emails.

The Commission conducted the Technical Validation Session (TVS) with the Petitioner at the Commission's office in Gurugram, during which the discrepancies in the Petition were conveyed and additional information required by the Commission was sought. Subsequently, the Petitioner submitted replies to the issues raised in this session

and provided documentary evidence to substantiate its claims regarding various submissions. The following table provides the list of interactions with the Petitioner along with the dates:

**Table 1: Timelines of the interaction with the Petitioner**

S. No	Subject	Date
1	Issue of First Deficiency Note	13 <sup>th</sup> April 2022
2	Reply received from Petitioner	22 <sup>nd</sup> April 2022 & 4 <sup>th</sup> May 2022
3	Technical Validation Session	6 <sup>th</sup> May 2022
4	Public Hearing	13 <sup>th</sup> May 2022
5	Issue of Second Deficiency Note	17 <sup>th</sup> May 2022
6	Replies received from Petitioner	27 <sup>th</sup> May 2022 & 24 <sup>th</sup> June 2022

### 1.7 Notice for Public Hearing

Public Notices were published by the Commission in the leading newspapers as tabled below, giving due intimation to the stakeholders, consumers and the public at large about the Public Hearing to be conducted by the Commission. These notices were also uploaded on the Commission's website

**Table 2: Details of Public Notices published by the Commission**

Sl. No.	Date	Name of Newspaper	Language	Place of Circulation
1	20 <sup>th</sup> April 2022 & 10 <sup>th</sup> May 2022	Ajit	Punjabi	Chandigarh
2		Dainik Jagran	Hindi	Chandigarh
3		The Tribune	English	Chandigarh
4		Hindustan Times	English	Chandigarh

The Public Notice was published by the Petitioner in the following newspapers for inviting objections/suggestions from the stakeholders on the Tariff Petition:

**Table 3: Details of Public Notices published by the Petitioner**

S.No.	Date	Name of Newspaper	Language	Place of Circulation
1	21 <sup>st</sup> April 2022	Ajit	Punjabi	Chandigarh
2		Dainik Bhaskar	Hindi	Chandigarh
3		The Tribune	English	Chandigarh
4		Hindustan Times	English	Chandigarh
5	29 <sup>th</sup> April 2022	Ajit	Punjabi	Chandigarh
6		Dainik Bhaskar	Hindi	Chandigarh
7		The Tribune	English	Chandigarh
8		Hindustan Times	English	Chandigarh

### 1.8 Public Hearing

The Public Hearing was held on 13<sup>th</sup> May 2022 at the Auditorium Hall, Government Museum and Art Gallery, Chandigarh to discuss the issues related to the Petition filed by the Petitioner. The issues and concerns raised by the stakeholders in writing and as voiced by them during the Public Hearing have been examined by the Commission. The major issues discussed, the responses of the Petitioner thereon and the views of the Commission, have been summarized in Chapter 2 of this Order.

## ***2 Chapter 2: Summary of Suggestions/ Objections received, Response from the Petitioner and the Commission's Views***

### ***2.1 Regulatory Process***

On admitting the Petition, the Commission directed the Petitioner to make copies of the Petition available to the public, upload the Petition on the website and also publish the same in the newspapers duly inviting comments/objections from the public as per the provisions of the MYT Regulations, 2021.

The Public Hearing was held at Auditorium Hall, Government Museum and Art Gallery, Chandigarh on 13th May 2022 on the Petition for Approval of its Business Plan for the 3rd MYT Control Period from FY 2022-23 to FY 2024-25. During the Public Hearing, a few of the stakeholders who had submitted their comments in writing also presented their views in person before the Commission. Other participants from the general public, who had not submitted written comments/objections earlier, were also given an equal opportunity to present their views/suggestions in respect to the Petition. The names of the stakeholders who attended the Public Hearing are provided in Annexure-I.

### ***2.2 Suggestions/ Objections, Response of the Petitioner and Commission's Views***

The Commission is appreciative of the efforts of various stakeholders in providing their suggestions/comments/observations to make the Electricity Distribution Sector responsive and efficient. The Commission has noted the concerns of all the stakeholders and has tried to address them to the extent possible. Relevant observations have been suitably considered by the Commission while finalizing the Tariff Order. The submissions of the stakeholders, response of the Petitioner and views of the Commission are summarized as follows:

#### ***2.2.1 Manpower Planning***

##### **Stakeholder's Comment:**

The operation and maintenance can have the real meaning only when the sufficient resources and manpower is available with the department otherwise it is purposeless. In this connection, the kind attention of the Commission is invited on the fact that although sufficient expenses have been projected for the manpower in past, only 50% of the same is exhausted out of the salary expenses. The reason behind it is the consistent failure of the employer to recruit/ appoint sufficient number of manpower to run the show of the Electricity Department smoothly. It is also worth mentioning that the directives of the Commission from time to time could not become fruitful as the administration seems to have been sitting deaf and dumb.

##### **Chapter 7 - Compliance of Directives**

The directives of the Commission in various matters of the electricity department are merely on paper whereas its implementation seems nowhere. The electricity department of Chandigarh Administration has drastically failed on the platform of manpower deployment. The Commission has given a no. of directives to the Chandigarh Administration to fill up the posts by way of recruitment but the department has done nothing in this regard. This pressure is gradually developing, and a day will come when the system will get flip flop and for this, the sole

responsibility will lie upon the shoulders of the administration. The Commission must come with iron clad hands so as to get their orders implemented in toto, otherwise the purpose of carrying the public hearings will only be a public drama and the basic purpose will be wholly forfeited.

The Commission had got conducted the survey of the manpower of the electricity department through a consultant and the report of the same is self-speaking but it is shocking that the implementation of the same could not be done despite lapse of 8 years. It is not understood as to how the qualitative services in the presence of **Standards of Performance** and **now Right to Service** will be delivered to the public of the beautiful city Chandigarh. The reply of the department is very sluggish and beyond the truth. It is worth mentioning that the Ministry of Finance, Department of Expenditure had also conducted the survey of the staff by way of carrying out the on-spot study of the staff through their integrated wing known as **Staff Inspection Unit** during the year 2001 whereby sufficient no. of vacancies were generated to cater to the rising load of the electricity department. There is till date no action on any of the reports which reflects the major failure of the Chandigarh Administration in filling up the vacant posts. None of the report of either the Govt. itself or the Commission has been implemented, nor any initiative has been taken to fill up the posts as per sanctioned strength / yardsticks. It is quite unfortunate that the recruitment of the staff has now been linked with the corporatization earlier and now with the privatization of the department and merely just by floating the tender have been trying to divert the issue. The process of privatization is already under strong protest of the U.T. Powermen Union, thus praying to fill up the posts of Direct recruitment and Promotions strictly as per sanctioned posts i.e. 1780 in the larger interest of Employees. Hence, praying for immediate intervention so that stagnated employees get promotions.

### **Petitioner's Response:**

In this regard, it is submitted that the Manpower study has been approved by the Commission vide order dated 29.12.2014. The case for necessary concurrence to the recommendations of the Commission dated 29.12.2014 was sent to the Govt. of India, Ministry of Power, New Delhi vide Secretary Engineering, Chandigarh Administration Chandigarh Memo No. 4981 dt. 14.07.2015. The Govt. of India, Ministry of Power vide letter dated 05.05.17 raised some observations which remained under consideration of the Competent authority as intimated vide the then CE-cum-Spl. Secy.(Engg) Memo No. 4494 dt. 08.06.18 and the matter kept in abeyance and not approved. The posts sanctioned by the Commission, whether on outsource basis or on regular basis are very less than the posts already sanctioned by the Govt. of India but in the absence of approval, neither the posts already sanctioned by GOI nor the posts approved by the JERC could be filled up.

Thereafter, the matter of shortage of staff in the department was taken up with the competent authority of Chandigarh Administration, however, the then Chief Engineer-cum-SS (Engg.) U.T., Chandigarh vide his office Memo no. 6741 dated 23.10.2019 intimated that the process to appoint the consultant to study the feasibility of corporatization of Electricity Wing of Engineering Department UT Chandigarh has been undertaken and the manpower study also lies in the scope of said consultancy.

The case for filling up the posts through direct recruitment was returned by the Chief Engineer-cum-SS (Engg.) UT Chandigarh with the remarks that privatization of Electricity Wing of Engineering Department is under process. As such, it would not be appropriate to carry out direct recruitment at this stage. In view of the decisions as taken at different stages as detailed above, number of posts in the Electricity Wing have come in the purview of deemed abolished/ abolished due to which the Working of the Department is hampered badly.

Now, presently, a total of 1085 (631-Regular, 454-outsourced) employees are working in the Electricity wing against total Sanctioned (Operational) posts of 1436 nos. as on 31.03.2022. Moreover, the Central Civil Services Rules have now been implemented by the Chandigarh Administration w.e.f. 01.04.2022.

The process for filling up of 134 nos. (Regular) vacant posts of direct quota has now been initiated out of which public notice for 53 no. posts of ALMs, 8 no. posts of Drivers and 1 no. Draftsman (Total 62 nos.) as per Centre rules has been submitted to CE UT for approval vide this office Memo no.990 dated 25.05.2022 & 1073 dt. 06.06.2022 and the approval for the same is awaited.

**Commission's View:**

The Commission has noted the concerns of the Stakeholder. The stakeholder may note the reply of the Petitioner. Further, although the EWEDC is under privatization, the Petitioner may ensure availability of sufficient manpower to run the department efficiently.

# **3 Chapter 2: Approval of the various components of the Business Plan Petition for the Multi-Year Control Period FY 2022-23 to FY 2024-25**

## **3.1 Introduction**

Regarding Business Plan, Regulation 8 of the JERC MYT Regulations, 2021 specifies as follows:

*“8 Business Plan*

*8.1 The Transmission Licensee and Distribution Licensee shall file a petition, duly approved by the competent authority, for approval of Business Plan by the Commission for the entire Control Period, latest by May 15, 2021:*

*Provided that the Generation Company shall not be required to file a Business Plan for the Control Period.*

*8.2 The Business Plan filed by the Distribution Licensee shall contain separate sections on Distribution Wires Business and Retail Supply Business.*

.....

*8.4 The Business Plan filed by Distribution Licensee shall inter-alia contain:*

*a) Capital Investment Plan for each Year of the Control Period commensurate with load growth, distribution loss reduction trajectory and quality improvement measures proposed in the Business Plan in accordance with Regulation 8.5;*

*b) Capital Structure of each scheme proposed and the cost of financing (interest on debt and return on equity), terms of the existing loan agreements, etc.;*

*c) Sales Forecast for each Consumer category and sub-categories for each Year of the Control Period in accordance with Regulation 8.6;*

*d) Power Procurement Plan based on the Sales Forecast and distribution loss trajectory for each Year of the Control Period in accordance with the Regulation 8.7;*

*e) Targets for distribution loss for each Year of the Control Period consistent with the Capital Investment Plan proposed by the Licensee;*

*f) Projections for number of employees during each Year of the Control Period based on proposed recruitments and retirement;*

*g) Proposals in respect of income from Other Business for each Year of the Control Period.”*

This chapter deals with the key aspects of the Business Plan Petition submitted by the Petitioner and is structured as below.

- Forecast of Number of Consumers, Connected Load and Sales for the Control Period



- Transmission and Distribution (T&D) loss
- Power Procurement Plan
- Capital Investment Plan
- Reliability Indices
- Manpower Plan

In the subsequent sections, the Commission has recorded Petitioner's submissions and analysed them. The Commission has subsequently recorded its reasoning while approving each of the components.

## 3.2 Forecast of Number of Consumers, Connected Load and Sales for the Control Period

### 3.2.1 Overall Approach

#### Petitioner's submission

The Petitioner has taken the historical Compounded Annual Growth Rate (CAGR) for each consumer category as per the provisional figures from FY 2014-15 till FY 2019-20. Since FY 2020-21 and FY 2021-22 were the years affected from Covid-19 pandemic and due to lockdown, etc., the sales were reduced abnormally. Hence, while considering the CAGR for sales, number of consumers and demand, FY 2020-21 and FY 2021-22 has not been considered and CAGR is calculated considering actual figures from FY 2014-15 to FY 2019-20. Hence, FY 2019-20 is considered as Base Year.

For FY 2021-22, as there has been lockdown in H1 and lockdowns have been relaxed in H2, EWEDC expects the sales that dropped in FY 2020-21 and FY 2021-22 will pick up again in FY 2022-23 and will reach at the levels of FY 2019-20. Hence, the Petitioner has assumed the same sales as FY 2019-20 in FY 2022-23. Further, based on the historical CAGR for each consumer category & base year, EWEDC has forecasted the figures for the control period FY 2022-23 to FY 2024-25 as follows:

*Table 4: Petitioner's submission on projection of Number of Consumers for 3<sup>rd</sup> MYT Control Period*

Sl. No.	Number of Consumers	Base Year Projections	CAGR Considered	Projections		
	Consumer Category	FY 2021-22		FY 2022-23	FY 2023-24	FY 2024-25
1	Domestic (LT + HT)	201,490	1.61%	204,724	208,011	211,350
2	Non-Domestic (LT+ HT)	27,323	4.39%	28,521	29,772	31,078
3	Large Supply	95	0.00%	95	95	95
4	Medium Supply	1,443	0.00%	1,443	1,443	1,443
5	Small Power	1,476	1.09%	1,492	1,508	1,525
6	Agriculture	121	0.83%	122	123	124
7	Public Lighting	1,493	5.82%	1,580	1,672	1,770
8	Bulk Supply	531	0.00%	531	531	531
9	Others Temporary Supply	448	0.00%	448	448	448
	<b>Total</b>	<b>234,420</b>		<b>238,957</b>	<b>243,603</b>	<b>248,363</b>

*Table 5: Petitioner's submission on projection of Connected Load for 3<sup>rd</sup> MYT Control Period*

Sl. No.	Connected Load (kW)	Base Year Projections	CAGR Considered	Projections		
	Consumer Category	FY 2021-22		FY 2022-23	FY 2023-24	FY 2024-25
1	Domestic (LT + HT)	940,924	3.36%	972,548	1,005,234	1,039,019
2	Non-Domestic (LT+ HT)	512,400	4.22%	534,021	556,553	580,037
3	Large Supply	67,983	0.00%	67,983	67,983	67,983
4	Medium Supply	78,758	0.00%	78,758	78,758	78,758
5	Small Power	24,493	3.34%	25,310	26,155	27,027
6	Agriculture	884	3.69%	917	950	985
7	Public Lighting	4,813	2.48%	4,933	5,055	5,180
8	Bulk Supply	41,708	0.09%	41,746	41,784	41,822

Sl. No.	Connected Load (kW)	Base Year Projections	CAGR Considered	Projections		
	Consumer Category	FY 2021-22		FY 2022-23	FY 2023-24	FY 2024-25
9	Others Temporary Supply	2,136	0.00%	2,136	2,136	2,136
	<b>Total</b>	<b>1,674,100</b>		<b>1,728,351</b>	<b>1,784,609</b>	<b>1,842,948</b>

*Table 6: Petitioner's submission on projection of Sales for 3<sup>rd</sup> MYT Control Period*

Sl. No.	Energy Sales (MU)	Base Year Projections	CAGR Considered	Projections		
	Consumer Category	FY 2021-22		FY 2022-23	FY 2023-24	FY 2024-25
1		702.80	4.86%	759.21	796.10	834.78
2	Non-Domestic (LT+ HT)	414.26	1.50%	484.49	491.76	499.13
3	Large Supply	108.81	1.10%	123.76	125.12	126.49
4	Medium Supply	99.51	0.00%	106.38	106.38	106.38
5	Small Power	16.28	0.00%	18.43	18.43	18.43
6	Agriculture	1.21	2.73%	1.41	1.45	1.49
7	Public Lighting	14.21	0.00%	14.78	14.78	14.78
8	Bulk Supply	78.79	2.40%	82.88	84.87	86.91
9	Others Temporary Supply	4.14	0.00%	4.20	4.20	4.20
	<b>Total</b>	<b>1440.02</b>		<b>1595.55</b>	<b>1643.08</b>	<b>1692.58</b>

### Commission's Analysis

With regards to Sales forecast, Regulation 8.6 of the JERC MYT Regulations, 2021 specifies as follows:

#### *"8.6 Sales Forecast*

- a) The Distribution Licensee shall forecast sales for each Consumer category and subcategories, at different voltage levels, for each Year of the Control Period in their Business Plan filings, for the Commission's review and approval;*
- b) The forecast shall be based on the actual demand of electricity in previous Years, anticipated growth in demand in coming Years, expected growth in the number of Consumers, load growth, changes in the pattern of consumption, target distribution losses and other relevant factors;*
- c) The Licensee shall indicate separately the sale of electricity to traders or another Licensee and category wise sales to Open Access Consumers."*

The Petitioner has submitted the actual audited data in respect of number of consumers, connected load and energy sales from FY 2017-18 to FY 2019-20 and provisional data for FY 2020-21 and FY 2021-22. Further, upon analyzing the data submitted by the Petitioner, various discrepancies were observed even in the billing information forwarded by the Petitioner. The Commission directs the Petitioner to submit audited data in respect of number of consumers, connected load and energy sales for FY 2020-21 and FY 2021-22 at the time of filing of Tariff Petition for the FY 2023-24.

For the purpose of projections in this Order, the Commission has considered the data submitted by the Petitioner vide its replies to the Deficiency Note dated 13<sup>th</sup> April 2022. Further, the Commission has considered the energy sales for FY 2014-15, FY 2015-16 and FY 2016-17 approved during the True-up of the respective years. The Commission has accordingly determined the CAGRs for each consumer category based on historical trends. However, the number of consumers, connected load and energy sales for FY 2020-21 has not been considered as the same was impacted by the Covid-19 pandemic and considering the information from FY 2020-21 would not provide accurate projections for the 3<sup>rd</sup> MYT Control Period. The Commission has therefore considered the provisional figures for the number of consumers, connected load and energy sales for FY 2021-22 as the base year figures. After analysis of the historical growth in sales, number of consumers and connected load, the Commission has considered the 1-year, 2-year, 3-year, 4-year or 5-year CAGR for projections in each category based on the observed historical trends. If the growth rates observed is negative for a consumer category, the Commission has considered the figures observed in FY 2021-22 for each year of the 3<sup>rd</sup> MYT Control Period.