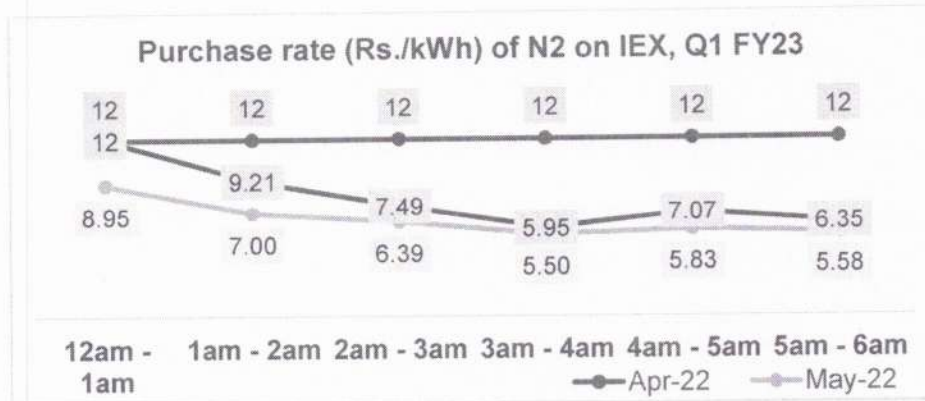



factors. The variation in demand and supply over the country has resulted in exorbitantly high prices being discovered in the power market.

12. The Petitioners would like to lay emphasis on the tremendously high rate of purchase as observed in the summer months of FY 23 to highlight the dismal plight of the Discoms. The rate observed in power exchange in April (Rs.12/kWh) as well as May and June is as shown in the graph below:




13. Furthermore, it is to be noted that **similar trend of high prices on power exchanges are expected to continue during FY 24** as well owing to anticipated increase in overall demand for the country.

  
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14. It is also submitted that Ministry of Power has already cautioned all state discoms for high electricity demand during the ensuing year especially the summer season and already issued directions to all domestic and imported coal-based power plants under Section-11 of the electricity act to import coal and maintain enough coal stock to meet increased demand.
15. Further, in accordance with Rajasthan Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2019, under Regulation 78(6)(d) Discoms may carry out power procurement at a rate higher than the ceiling rate as approved by the Commission under unforeseen circumstances/ emergency conditions that hamper network stability. The same is reproduced as under:

“ 78(6)(d)

*In case of short-term power requirement due to unforeseen contingency or circumstances resulting in purchase of power for less than 15 days or in purchase*

  
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Jaipur Discom, Jaipur

11,

*from power exchange or when faced with emergency conditions that threaten the stability of the distribution system or when directed to do so by State Load Despatch Centre to prevent grid failure:*

*Provided that the Distribution Licensee may carry out power purchases in above mentioned situations at a rate higher or lower than the ceiling rate approved by the Commission for purchase of short-term power..."*

16. The Hon'ble Commission in its ARR and Tariff Order for FY 2023-24 has **approved the purchase rate from short term sources at Rs. 4.22/unit.** The relevant extract of the order is as under:

*" 4.111 .... the Commission deems it proper to fix the rate of short term purchase for the purpose of Regulation 78 (6) equivalent to variable cost of STPS i.e. Rs. 4.22 per/unit."*

17. It wont be out to place to say that the rate as approved by the Hon'ble Commission is nowhere reflective of the actual rates as dicovered in the power market during




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the peak hours and this proves to be serious hit on the already precarious financial condition of the Discoms.

18. Thus, considering the on-going crisis, high rates on power exchanges and financial position of Discoms, the Petitioners pray that

***The rate of short-term power purchase, which is currently fixed at Rs 4.22/unit in the ARR Order for FY 2023-24 may be revised and ceiling capping on the same be removed. The rate be benchmarked with the actual exchange prices prevailing during the hours when power is procured by the Discoms and any variation in the same is allowed to be recovered through Fuel Surcharge Adjustment (FSA).***

  
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**P R A Y E R**

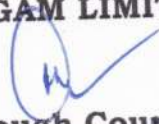
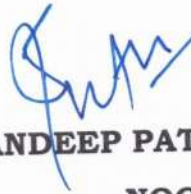
It is therefore most respectfully submitted that Hon'ble Commission may be pleased :

- i. To take the petition on record and admit the same
- ii. To revise the rate of short-term power purchase, which is currently fixed at Rs 4.22/unit in the ARR Order for FY 2023-24 may be revised and ceiling capping on the same be removed. The rate be benchmarked with the actual exchange prices prevailing during the hours when power is procured by the Discoms and any variation in the same is allowed to be recovered through Fuel Surcharge Adjustment (FSA).
- iii. To condone any error/omission and to give opportunity to rectify the same;
- iv. To permit the Petitioner to make further submission, additions and alterations to this Petition as maybe necessary from time to time;

  
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Jaipur Discom, Jaipur

- v. To pass any such other order/s and/or direction/s,  
which the Hon'ble Commission may deem fit and proper  
in the facts and circumstances of the case.

**JAIPUR VIDYUT VITARAN NIGAM LIMITED  
AJMER VIDYUT VITARAN NIGAM LIMITED  
JODHPUR VIDYUT VITARAN NIGAM LIMITED**



**Through Counsel,**  
Executive Engineer (Regulation)  
Jaipur Discom, Jaipur

**SANDEEP PATHAK / JAYA P. PATHAK /**

**NOOR AHMED / ARNAV SINGH**

**VARTIKA MEHRA / SHASHWAT SHARMA**

**ADVOCATES**

**Place: Jaipur**

**Dated: \_\_\_/\_\_\_/ 2023**

BEFORE THE RAJASTHAN ELECTRICITY REGULATORY COMMISSION

FILING NO.

CASE NO.

**IN THE MATTER OF:**


Petition for approval of power purchase from short term sources for Rajasthan Discoms under Regulation 9(e),78,87(3),95 of the Rajasthan Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2019 issued by Rajasthan Electricity Regulatory Commission under section 61,86(k),94(f),(g) read with section 181 of the Electricity Act, 2003.


**IN THE MATTER OF:**

JAIPUR VIDYUT VITRAN NIGAM LTD.  
AJMER VIDYUT VITRAN NIGAM LTD.  
JODHPUR VIDYUT VITRAN IGAM LTD.

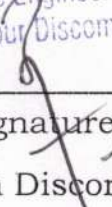
----- PETITIONERS

I, Chairman Discoms, Jaipur hereby authorize Sh. Rakesh Dusad S/o Late. Shri Rameshwar Lal Dusad, Executive Engineer (Regulations), JVVNL, Jaipur whose signatures are attested below to represent as the petitioner(s) in the above matter.

  
\_\_\_\_\_  
Chairman Discoms, (JVVNL,AVVNL,JdVVNL )

  
\_\_\_\_\_  
Signature of the authorised representative

Executive Engineer (Regulation)  
Jaipur Discom, Jaipur

  
\_\_\_\_\_  
Signature Attested

Chairman Discoms, (JVVNL,AVVNL,JdVVNL )

**BEFORE THE RAJASTHAN ELECTRICITY  
REGULATORY COMMISSION JAIPUR (RAJASTHAN)**

**FILING NO:.....**

**CASE NO. \_\_\_\_\_/2023**


**JAIPUR VIDYUT VITARAN NIGAM LTD. & ORS.**

**AFFIDAVIT IN SUPPORT OF THE PETITION**

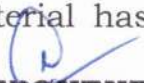
I, Rakesh Dusad S/o Late Shri Rameshwar lal Dusad, Aged about 52 years, presently working as Executive Engineer(Regulation), JVVNL, Jaipur, do hereby State as under:

1. I am the officer incharge and authorised to act on behalf of all the petitioners and I am conversant with the facts of the case and is able to depose to the same.
2. I have read the accompanying/annexed petition and I say that the facts stated therein are based on records of the Petitioners maintained in the ordinary course of business and are believed by me to be true.




  
**DEPONENT**  
 Executive Engineer (Regulation)  
 Jaipur Discom, Jaipur

I, Rakesh Dusad the Deponent above named do hereby verify that the contents of my affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

  
**DEPONENT**

Verified at Jaipur on this \_\_\_ day of \_\_\_\_\_, 2023  
 Executive Engineer (Regulation)  
 Jaipur Discom, Jaipur

  
**ATTESTED**  
 Anil Kumar Jain  
 Notary (Govt. of India)





## VAKALATNAMA

### BEFORE THE RAJASTHAN ELECTRICITY REGULATORY COMMISSION JAIPUR (RAJASTHAN)

CASE NO. \_\_\_\_\_/2023

**Jaipur Vidyut Vitran Nigam Limited and Ors.**

KNOW ALL MEN by these present that I/We the undersigned **Jaipur Vidyut Vitran Nigam Limited, Vidyut Bhawan, Janpath, Jaipur -302005, Ajmer Vidyut Vitaran Nigam Limited, Old Power House, Hathi Bhata, Jaipur Road, Ajmer-305001 & Jodhpur Vidyut Vitaran Nigam Limited, New Power House, Industrial Area, Jodhpur-342003** through Authorised Officer Mr. Rakesh Dusad in the above case do hereby make, constitute and appoint **Mr. Sandeep Pathak, Ms. Jaya P. Pathak, Mr. Noor Ahmed, Mr. Arnav Singh, Ms. Vartika Mehra, Mr. Shashwat Sharma Advocates** my/our true and lawful attorney, for me/us in my/our name, and on my/our behalf to appear plead and act in the said case, and more particularly to draw, make, present, withdraw, amend, represent and verify plaints or written statements and to make or present applications or petitions to the court, to present, withdraw and receive documents and any money from the Court or from the opposite party either in execution of the decree or otherwise, and on receipt of payment thereof to sign and deliver for me/us proper receipts and discharges for the same to compromise or to refer the case to arbitration, to seek execution of decree or any orders in the case, to draw, make present, withdraw, amend and represent any memorandum of appeal or cross-objections in any appeal arising or to seek review or revision of any judgment, decree or orders in the case, to appear and conduct in all such appeals, revision and reviews and to do all other lawful acts and things as effectually as I/we could do the same whether being personally present or otherwise, My/our said counsel is/are also hereby authorized and empowered to instruct, engage or appoint any other counsel or counsels to appear, plead and act with or for him/them in his/their absence or otherwise, as my/our said counsels may thing proper to do so, and all acts of such counsel or counsels shall be equally and similarly binding on me/us as if done by my/our said counsel and as if done by me/us personally.

I/We hereby agree that if any part of the said counsel's fee remains unpaid before first hearing of the case, or if any hearing of the case be fixed on tour or at any other place except the usual court premises than my/our said counsel will not be bound to appear before the Court. The counsel's fee now settled and agreed to is in respect of this Court and for the pending proceedings only. Any fresh action here after taken will entitle the counsel to fresh fees I/we also agree that if the case be dismissed in default or if it be proceeded ex-parte under any circumstances whatsoever the said counsel shall not be held responsible for the same and all whatsoever my/our said counsel shall do in connection with the said case. I/We do hereby agree to ratify and confirm any costs awarded in the case at any time in my/our favour shall form the part of the counsel's claim and shall be payable to him/them in addition to his/their fees in the case.

IN WITNESS WHEREOF I/We have hereto set my/our hand(s) at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ and delivered to the said counsel(s)

1 \_\_\_\_\_  
2 \_\_\_\_\_

ADVOCATE (S)

Executive Engineer (Regulation)  
Jaipur Discom, Jaipur

## Synopsis

- 1) Most of the states across the country have been facing an acute power crisis due to a gap between the demand of power from consumers and the supply available from generators with whom the respective state Discoms have long term power purchase agreements. The same has been taken into cognizance by State and Central Governments also.
- 2) The Ministry of Power (MoP) has initiated multiple measures to address this situation. Steps include restarting idle imported coal-based plants, increasing allocation of railway rakes to power sector, directions to State Gencos for blending of imported coal (up to 10%), directions to all Gencos (including IPPs) under Section 11 of the Electricity Act 2003, for timely import of coal for blending thereby maximizing production in captive mines.
- 3) The demand and supply gap for the State of Rajasthan can further be attributed due to the lower availability from State Generation Companies (RVUNL) and the banking arrangement of the State with UPPCL.
- 4) Rajasthan Discoms, in order to maintain the supply-demand equilibrium and overall grid stability will have to resort to procure power from short term power markets power exchanges. During FY 2022-23, average cost of power purchased from exchange is Rs. 5.50/kWh. Considering entire deficit is met through exchange at weighted average tariff of 6 Rs/kWh, Discoms may need approximately Rs. 4,152 Cr for exchange power purchase.
- 5) Discoms being under the Universal Supply Obligation had to buy short term power from exchange at extremely high rates as high as Rs. 12/unit during FY23 to ensure uninterrupted power supply to its consumers. The same trend of high rates in exchange is also expected during FY24.
- 6) The Hon'ble Commission in its ARR and Tariff Order for FY 2023-24 has approved the purchase rate from short term sources at Rs. 4.22/unit. The rate as approved by RERC is not reflective of the actual rates as discovered in the power market and this proves to be serious hit on the already precarious financial condition of the Discoms.
- 7) Thus, considering the on-going crisis, high rates on power exchanges and financial position of Discoms, the ***Petitioners pray that the rate of short-term power purchase, which is currently fixed at Rs 4.22/unit in the ARR Order for FY 2023-24 may be revised and ceiling capping on the same be removed. The rate be benchmarked with the actual exchange prices prevailing during the hours when power is procured by the Discoms and any variation in the same is allowed to be recovered through Fuel Surcharge Adjustment (FSA).***