

**JOINT ELECTRICITY REGULATORY COMMISSION  
FOR THE STATE OF GOA AND UNION TERRITORIES  
GURGAON**

Quorum  
Shri S.K.Chaturvedi, Chairperson  
**Petition No. 170/2015**  
**Date of Order: 29.06.2015**

**In the matter of**

Petition for Review of Fuel and Power Purchase Cost Adjustment (FPPCA) Formula for the Electricity Department of Goa provided under Regulation 7(3) of JERC (Terms & Conditions for determination of Tariff) Regulations, 2009 and Order dated 27.06.2012 passed by the JERC in Petition No. 79/2012 for approval of Power Purchase Cost Adjustment (FPPCA) Formula.

**And in the matter of**

Electricity Department, Government of Goa having its office at Vidyut Bhawan, Panaji, Goa ..... **Petitioner**

**Argued by for Petitioner**

Shri S.S. Rebello, Addl. Govt. Advocate, State of Goa

**ORDER**

The Petitioner – Electricity Department, Goa has filed the present petition for Review of Fuel and Power Purchase Cost Adjustment (FPPCA) Formula for the Electricity Department of Goa provided under Regulation 7(3) of JERC (Terms & Conditions for determination of Tariff) Regulations, 2009 and Order dated 27.06.2012 passed by the JERC in Petition No. 79/2012 for approval of Power Purchase Cost Adjustment (FPPCA) Formula.

The brief facts as stated are that the Petitioner is functioning as Transmission and Distribution Utility for the State of Goa. The Commission pursuant to the Electricity Act, 2003 framed JERC (Terms & Conditions for determination of Tariff) Regulations, 2009. The Commission vide order dated 27.06.2012 in Petition No. 79/2012 approved Fuel and Power Purchase Cost Adjustment (FPPCA) Formula and this formula was notified vide Notification No. JERC-10/2009 dated 27<sup>th</sup> June, 2012.

The FPPCA Formula provides for adjustment for variation between actual and approved power purchase cost. However, Variation in Central Transmission Charges (PGCIL Charges) are excluded despite the Petitioner having no control over the same. The Petitioner has to make the extra payments immediately whereas recovery for such variation happens only in next financial year in review and that too the recovery is deferred over twelve months. Hence, the gap increases and the Petitioner is deprived of timely

1

recovery for legitimate costs which causes hardships to the Petitioner. Therefore, the Petitioner is facing great financial hardships and prays for review of FPPCA Formula.

The Petition was received in the Commission on 14.05.2015. The Commission technically examined the Petition and found the Petition as per the provisions of the Electricity Act, 2003 and JERC (Conduct of Business) Regulations, 2009. The Commission admitted the Petition on 20.05.2015 and numbered it as Petition No. 165/2015.

The Commission sent hearing notice to the Petitioner for 29.06.2015. The Commission held hearing on 29.06.2015 in the HQ of the Commission. The Commission heard Shri S.S. Rebello, Addl. Govt. Advocate, State of Goa for the Petitioner at length and has gone through the Petition, order under review and the FPPCA Formula.

The Commission observed that the order dated 27.06.2012 was passed after Public Hearings in the area of all the licensees under this Commission and the FPPCA Formula was notified after inviting objections and suggestions from all concerned and stakeholders of all the licensees of the Commission. The order dated 27.06.2012 and the FPPCA Formula notified vide Notification No. JERC-10/2009 dated 27<sup>th</sup> June, 2012 is a Regulation. The Commission under Section 181 (1) has powers to make and amend the Regulations after previous publication. As this FPPCA Formula is uniform for all the Distribution Licensees under jurisdiction of the Commission, the Commission decides to get views / suggestions of all the Distribution Licensees i.e. Andaman & Nicobar, Daman & Diu, Lakshadweep, UT Chandigarh, Goa and Puducherry before initiating action for amendment in the Regulation.

Therefore, a notice be sent to all the licensees i.e. Andaman & Nicobar, Daman & Diu, Lakshadweep, UT Chandigarh, Goa and Puducherry inviting objections and suggestions from them within one month.

Next date of hearing will be determined after receipt of objections / suggestions from all the licensees.

Sd/-  
(S.K.CHATURVEDI)  
CHAIRPERSON

(CERTIFIED COPY)

(KEERTI TEWARI)

SECRETARY

कीर्ति तिवारी/Keerti Tewari  
सचिव/Secretary  
संयुक्त विद्युत विनियामक आयोग  
Joint Electricity Regulatory Commission  
गोवा राज्य और संघ राज्य क्षेत्र  
For the State of Goa & Union Territories  
ज्येष्ठ न्यायिक अधिकारी, उद्योग विभाग, कोयंबटूर