

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

Quorum  
Shri S.K.Chaturvedi, Chairperson  
Smt. Neerja Mathur, Member  
**Petition No. 189/2015**  
**Date of Order: 23.12.2015**

**In the matter of**

Application for the direction that the action of the Respondent revising the Fuel and Power Purchase Cost Adjustment is against the FPPCA formula notified by the Joint Electricity Regulatory Commission in Petition no. 79 of 2012.

**And in the matter of**

Application for stay of the levy of Additional FPPCA pertaining to period between April 2012 to March 2015.

Silvassa Industrial Association, Silvassa .....Petitioner

DNH Power Distribution Corporation Limited ..... Respondent

**Argued by**

**For Petitioners**

Shri Rohit Rao, Advocate

**For Respondent**

1. Shri N.N. Desai, Junior Engineer, DNH Power Distribution Corporation Ltd
2. Shri R.B. Choubal, Asstt. Engineer, DNH Power Distribution Corporation Ltd
3. Shri Anand Ganeshan, Advocate

**ORDER**

The matter was kept for hearing on 22.12.2015.

We have heard learned advocate Shri Anand Ganeshan on behalf of the Respondent, DNH Power Distribution Corporation Limited. He has submitted that the Respondent is in receipt

of the arrear bill for the past period from the power supplier NTPC in the regular bill of October 2015. In view of the arrear bill and due to present open access approvals to few consumers, there would be a high burden on other regular consumers, in case FPPCA computation is as per Regulations. Hence, the Respondent has worked out additional FPPCA for the past consumption and it works out to 2 paise per unit for the consumption period from April 2012 to March 2015 and accordingly billing of additional FPPCA has started. But, now in view of the objection from the consumers and the Petition from the Silvassa Industries Association, the Respondent is agreeable to revise the FPPCA charges strictly in accordance with the Regulations in this regard. Further the Respondent prayed to the Commission to allow a period of two weeks for filing a written submission in this regard.

The learned advocate Shri Rohit Rao on behalf of the petitioner submitted that there should be a mechanism of prudence check before allowing the Distribution Licensee to consider expenses related to past period as a part of FPPCA charges. Further, the petitioner submitted that after receiving the written reply of the Respondent, they would also like to submit the rejoinder within a week's time of receiving the reply.

In view of the above, the Commission allows the Respondent and petitioner to submit their reply and rejoinder at the earliest, but not later than the aforesaid timeframe.

The respondent DNHPDCL has also submitted that they will not recover the additional FPPCA on the consumption for the period from April 2012 to March 2015 in accordance with the interim order dated 15.12.2015 till the final disposal of the Petition.

The next date of hearing will be decided in due course.

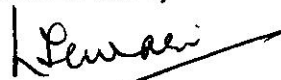
Sd/-

**(NEERJA MATHUR)**  
**MEMBER**

Sd/-

**(S.K.CHATURVEDI)**  
**CHAIRPERSON**

(CERTIFIED COPY)



**(KEERTI TEWARI)**  
**SECRETARY**