

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

Coram
Dr. V. K. Garg, Chairperson
Shri R. K. Sharma, FIE Member

Petition No. 10 /2009
With IA No. /2009

In the matter of:

Petition for Approval of Annual Revenue Requirement (ARR) and Tariff Proposal for FY 2009-10 for Union Territory of Dadra & Nagar Haveli under section 61, 62 and 64 of The Electricity Act 2003.

AND

In the matter of the petitioner

The Electricity Department, Electrical Office,
Opp. Secretariat Building, Amli Road,
Silvasa, U.T. of Dadra & Nagar Haveli.

.....petitioner

Present:

For the petitioner :

1. Shri Sakesh Kumar
2. Shri B. N. Mehta
3. Shri P. S. Dave
4. Shri Lalit Chaturvedi

Final Order

Date of Hearing – 23.02.2010

The petitioner filed the present petition for approval of Annual Revenue Requirement (A.R.R) and tariff proposal for FY 2009-10 for Union Territory of Dadra & Nagar Haveli under section 61, 62 and 64 of the Electricity Act, 2003.

2. The Commission enquired from Ld. Counsel for the petitioner as to how the petition for Annual Revenue Requirement (ARR) and Tariff Proposal for F Y 2009-10 is maintainable when in terms of Regulation No. 28 (iv) Chapter IV, Tariff

Regulations of JERC (Conduct of Business) Regulations 2009, (hereinafter Regulations), is not in time as the same should have been filed at a time, so that after completion of the process of fixation of Tariff under section 61, 62, 64 of Electricity Act 2003, there is still time to make the order effective & Bill accordingly. Commission observed that the petitioner is late even in filing the ARR for the year 2010-11 as it should have been done so by 30.11.2009.

3. The ARR approval for FY 2010-11 will either increase steeply the tariff as it will have to be realised in the balance part of the year, an extra burden on the consumer or shall have to be passed on to next year, which is not desirable. Coupled with the same if ARR for 2009-10 is also considered, the above problem shall be further compounded and therefore not acceptable.

4. In reply the Ld. Counsel for the petitioner while agreeing to the extra burden as mentioned above submitted that since it is the first petition of the petitioner before the Commission, the same could not be filed in time as contemplated in the regulations and the Act. As regards, filing of the petition for approval of ARR and Tariff Proposal for the FY 2010-11, the Ld. Counsel on instructions from petitioner informed that they can file the proposal for approval of ARR & Tariff for the FY 2010-11 within next three months time.

5. No provision for refund of fee exist either in the Act or in the in the Regulations and therefore the request for refund / adjustment of fee is declined.

6. The petition is not admitted.

7. In view of the fact that petitioner would take 3 months for submission of ARR & Tariff proposed for FY 2010-11, the Commission granted time upto 30th May, 2010 to the petitioner to file the tariff proposal.

sd/-
(R. K. SHARMA)
MEMBER
Gurgaon, dated this 4th March, 2010

sd/-
(DR. V. K. GARG)
CHAIRPERSON

Certified Copy


(J.S. Sehrawat)
Secretary