# KERALA STATE ELECTRICITY REGULATORY COMMISSION THIRUVANANTHAPURAM

Application No. : OA 1/2015

# In the matter of Truing up of Accounts of Kanan Devan Hill Plantations Company Private Limited for the year 2013-14

Applicant : M/s Kanan Devan Hill Plantations Company Private Limited

PRESENT: ShriT.M.Manoharan, Chairman Shri K.Vikraman Nair, Member

## **ORDER DATED 02.12.2015**

1. Kanan Devan Hill Plantations Company Private Limited (hereinafter referred to as KDHPCL or the licensee) is the distribution licensee supplying electricity in and around Munnar. KDHPCL avails electricity from KSEB Ltd for the supply to its consumers, for its own consumption and for supply to several consumers of KSEB Ltd residing in the vicinity of the area of supply of KDHPCL. M/s KDHPCL filed the truing up petition for 2013-14 and it was admitted as OA No.1/15. The petition is based on the audited accounts of the licensee. The ARR&ERC of the licensee for 2013-14 was approved by the Commission vide order dated 15.05.2013.A comparative statement on the proposal in the application for approval of ARR and ERC and the corresponding figures approved by the Commission thereon along with the claims as per the truing up application is tabulated below.

Table 1
KDHPCL-Comparative statement of ARR proposed and approved for 2013-14

Particulars	AF	ARR		
	Proposed	Approved	Proposed	
Total Energy Sales (MU)	37.04	37.04	37.46	
Feed back (MU)	6.88	6.88	7.80	
Distribution loss (MU)	6.57	5.99	7.30	
Gross energy (MU)	50.49	49.91	52.56	
Distribution loss %	13.00%	12.00%	13.89%	
Expen	ses (Rs.lakhs)			
Power Purchase Cost	1865.39	1844.11	1949.58	
Interest & Financing Charges	77.10	10.48	96.77	
Depreciation	18.60	16.51	15.79	
Employee Cost	102.57	72.13	102.64	
R&M Expenses	21.05	21.05	20.23	
A&G Expenses	17.45	8.94	18.51	
Other debits	12.11	0.20	13.11	
Return on Equity	-	5.00	ı	
Gross Revenue Requirements	2114.27	1978.42	2216.63	
Revenue (Rs.lakhs)				
Revenue from sale of power	1962.18	1953.75	2065.14	
Other Income	-	8.43	16.21	
Total Revenue	1962.18	1962.18	2081.35	
Revenue Surplus/(Gap)	(152.09)	(16.24)	(135.28)	

#### Hearing on the matter

- 2. Public hearing was conducted on 11-02-2015 at the court room of the Commission. In the public hearing, representatives of the licensee and KSEB Limited were present. Sri.P.M.Srikrishnan, Executive Director of KDHPCL presented the truing up petition and responded to the queries of the Commission. Shri. C.S.Sarma Kumar, Deputy Chief Engineer, TRAC and Shri B.Pradeep, Executive Engineer, TRAC represented KSEB Limited. Shri. C.S.Sarma Kumar, Deputy Chief Engineer, TRAC presented the comments of KSEB Limited.
- 3. In the hearing, KSEB Limited stated that the transmission and distribution loss was higher than that of the approved T&D loss as per the ARR & ERC order dated 15-03-2013 and prayed that the cost of power procurement due to excessive T&D loss may not be admitted. KSEBL also prayed that the claim of the licensee on the Section 3(1) duty as an item of expenditure may be disallowed until the approach is modified or altered by the Commission, based on the clarifications from the Government or upon final legal position. It was also pointed out that the employee cost of Rs.35.44 lakhs computed by KDHPCL based on apportionment of cost of top management is not prudent especially in view of the very low consumer strength and the small area of operation & thus KSEB Ltd requested for adopting the same principles followed in the True up order for the year 2012-13, of the licensee. While approving the ARR & ERC for the year, the Commission had disallowed the claim of Rs.5.00 lakh. It was also pointed out by KSEB Limited that the licensee has booked Rs.6.22 lakhs towards bank charges on bank guarantee under the administrative and general expenses and requested to disallow the said claim as done in the previous year. KSEB Limited commented that the licensee has claimed Rs.96.77 lakhs as the interest and finance charges against the approved amount of Rs.10.48 lakhs in the ARR for the year. It was submitted that only the prudent expenditure may be allowed in view with the claim on interest and finance charges. KSEBL also prayed that the claim of the licensee on the depreciation may be allowed only after disallowing the depreciation for assets created out of consumer contribution. The Commission allowed two weeks time for M/s KDHPCL for submitting their rejoinder to the comments and submissions of KSEB Limited.
- 4. M/s KDHPCL in the rejoinder submitted to the Commission on the comments and remarks of KSEB Limited, stated that the actual line loss for the period was computed on the total energy units fed into the distribution grid. It was further stated that they have already initiated the process for strengthening the distribution system. Against the comments of KSEB Limited on the employee

cost, the licensee stated that the approved amount is grossly inadequate and humbly submitted to reasonably revise the amount upward. The licensee submitted the split up details of the additional claim on the administrative and general expenses and humbly submitted that the actual expense incurred may be allowed.

### **Analysis and decision**

- 5. Number of Consumers: Actual number of consumers during 2013-14 was 15793 against 15124 an increase of approximately 4.4% in2012-13. It is understood from the details provided in the application that the increase is noted in most of the major categories likeHT I industrial category, LT IV industries category and LT VII Commercial Category. The energy sold to the HT I industrial category is 23.68 MU against the total sale of 37.46 MU accounting for approximately 63% of the total sales.
- 6. **Sale of Power**: The actual sale of power is 37.46 MU against approved quantity of 37.04 MU. As compared to the previous year, the increase in the sale of power is noticed in almost all categories of consumers of KDHPCL. The details of the sale of power to each consumer category are shown below.

Table 2
KDHPCL-Sale of power to various consumer categories

	2012-13 Actual		2013-14	Actual
Consumer Category	No. of Consumers	Energy sold MU	No. of Consumers	Energy sold MU
HT I Industrial	25	22.63	46	23.68
HT III Agriculture	-	-	4	0.27
HT VI Commercial	10	1.80	11	2.13
LT I Domestic	13120	6.75	13392	6.91
LT II Colonies	3	0.30	2	0.07
LT IV Industries	102	0.59	195	0.59
LT V Agriculture	5	0.02	10	0.01
LT VI Non Domestic	696	0.77	705	0.71
LT VII Commercial	1106	2.65	1308	2.77
Street Lighting	57	0.31	120	0.32
Total	15124	35.83	15793	37.46

7. **Energy requirement:** The actual gross energy requirement for 2013-14 was 52.56 MU against 49.91 MU as per the ARR order. The actual feedback energy as per the petition submitted to the Commission was 7.80 MU against the approved 6.88 MU.

8. Distribution Loss: The licensee has proposed higher level of distribution loss for the control period when compared to the distribution loss level approved by the Commission. The actual distribution loss reported by the licensee for 2013-14 is 13.89% against the approved target of 12%. In absolute terms, this isan increase of 1.31 MU as against the approved losses. The actual distribution loss is 7.30 MU in 2013-14 as against 5.99 MU as approved by the Commission for that year. The Commission is of the view that it is not proper to approve a distribution loss target higher than the level approved for the year as reduction in the distribution loss is a criterion for measuring the improvement in the performance of the licensee. Hence, the distribution loss for the year 2013-14 is fixed at the same level in accordance with para (7) of ARR order dated 15-05-2013.

Table 3
KDHPCL-Details of distribution loss for the year 2013-14

Particulars	ARR		Truing up	
	Proposed	Approved	Proposed	Approved
Total Energy Sales (MU)	37.04	37.04	37.46	37.46
Feed back (MU)	6.88	6.88	7.80	7.80
Distribution loss (MU)	6.57	5.99	7.30	6.17
Gross energy (MU)	50.49	49.91	52.56	51.43
Distribution loss %	13.00%	12.00%	13.89%	12.00%
Excess Distribution Loss (MU)	-	-	-	1.13

It is found that there is a substantial increase in distribution loss for the year 2013-14. The Commission in the truing up order for 2012-13 of the licensee has taken a position that the increase in distribution loss might have been contributed by the increase in wheeling of electricity and also higher sales in the licence area. Since the licensee has no control over the energy taken through feedback points, it is not reasonable to load the entire burden of increase in distribution loss on account of the licensee. Hence, it is decided to apportion the excess distribution loss of 11.30 lakh units in the ratio of energy consumed by the licensee to the energy feedback into KSEB System, ie., 83:17. Thus 9.38 lakhs units of excess distribution loss will be on the account of the licensee.

 Power Purchase Cost: - The total power purchase cost for the year was Rs.1949.58lakhas against the approved level of Rs.1844.11 lakhs. The licensee has accounted Rs.1949.58 lakhs as the power purchase cost as shown below. Table 4
KDHPCL- Details of power purchase cost for 2013-14

Particulars As per ARR order for		Actual
	2013-14	Aotaai
Total Maximum Demand kVA	84000	82700
Rate (Rs./kVA)	300	300
Demand charges (Rs./lakh)	252.00	248.10
Excess demand charges (Rs./lakh)	-	4.05
Total demand charges	252.00	252.15
Energy purchased (lakh units)	430.30	447.61
Rate (Rs.kWh)	3.70	3.79
Total energy charges	1592.11	1697.43
Other charges	-	-
Total charges	1844.11	1949.58
Average Power Purchase Cost (Rs./kWh)		4.36
(1/3.///4/11)		

10. Since the cost of excess power purchase on account of non-achievement of the target for reduction of distribution loss, is to be deducted (ie., 9.38 lakhs units @Rs.4.36 per unit), the total power purchase cost approved for the year is shown below.

Table 5
KDHPCL- Details of power purchase cost approved for 2013-14

Particulars	Approved
Total Maximum Demand kVA	82700
Rate (Rs./kVA)	300
Demand charges (Rs./lakh)	248.10
Excess demand charges (Rs./lakh)	4.05
Total demand charges	252.15
Energy purchased (lakh units)	436.30
Rate (Rs.kWh)	3.79
Total energy charges	1653.58
Total charges	1905.73

The power purchasecost approved for the year 2013-14 is Rs.1864.83 lakhs. (Rs.1905.73-Rs.40.90 lakhs)

11. Employee cost: - Commission had approved a total employee cost of Rs.72.13 lakhs and the actual employee cost incurred according to the truing up petition submitted by the licensee is Rs.102.64 lakh. The actual employee cost is higher than the approved level by Rs.30.51 lakh. The licensee clarifies that the increase is mainly on account of the share of salary of manager and executive director which sums up to a total amount of Rs.35.16 lakhs against approved amount of Rs. 5 lakh by the Commission. The split up details of the claim of the licensee is shown below.

Table 6KDHPCL- Details of employee cost claimed for the year 2013-14

Dortioulara	Employee
Particulars	cost claimed
Salaries	22.18
Overtime	19.15
DA	13.70
Other Allowances	3.28
Bonus	2.77
Medical reimbursement	0.03
Leave travel concession	0.21
Earned leave	0.49
Workmen's compensation	0.02
Contribution to PF	4.89
Staff welfare expenses	0.76
Terminal benefits	-
Salary of Manager & Executive	24.32
ED/ Manager's salary proportion	10.84
Total	102.64

- 12. The Commission generally approves a due share of employee expenses of senior management in the distribution business. The Commission had approved Rs.5 lakh towards this head as a proportion of salary of senior management in 2013-14. Accordingly, as has been done in previous years, a notional provision of Rs.5 lakhs is approved as a proportion of salary of senior management. Hence, the employee cost approved for the year 2013-14 is Rs. 72.48 lakhs.
- 13. Interest and Finance Charges: The actual interest and finance charge incurred by the licensee is Rs.96.77 as against the approved amount of Rs.10.48 lakhs in the order resulting in excess of Rs.86.29 lakhs. The split up details of interest and finance charges booked by the licensee are as shown below.

Table 7KDHPCL- Details of interest and finance charges for 2013-14

RDIN CE Details of interest and infance charges for 2015			
Particulars	Approved	Actual	
	Rs.lakhs	Rs.lakhs	
Interest on Security Deposit	8.43	9.26	
Interest on average working capital	2.05	87.51	
Total	10.48	96.77	

- 14. The licensee claimed Rs.87.51 lakh towards the actual interest on working capital and Rs.9.26 lakh towards interest on security deposits from the The Commission had approved only Rs.2.05 lakh towards working capital and Rs.8.43 lakh on security deposits. The licensee has submitted that the interest on working capital for electricity distribution operation has been allocated at 11.25% for 9 months and 14.25% for 3 months being charged by the lender for funding the expenditure. The impact for the year under interest on working capital is Rs.87.51 lakhs. The Commission has analysed the final accounts submitted by the licensee. It is seen that the average investments in Current Assets for the year 2013-14 is Rs.255.43 lakh. However the average security deposit from customers and other current liabilities comes to Rs.362.05 lakh, which clearly shows that the company has negative working capital and whatever amount booked under finance charges for working capital is incurred for capital liabilities. Hence no interest is approved for working capital. The interest and finance charges approved for the year 2013-14 is Rs.9.26 lakh, ie the amount of interest actually paid out on security deposits.
- 15. **Repair and Maintenance Charges**: The actual R&M expense claimed by the licensee for the year 2013-14 is Rs 20.23 lakh against an approved amount of Rs.21.05 lakhs. The split up of the R&M expenses is shown below.

Table 8KDHPCL- Details of R&M expenses for the year 2013-14Rs.lakhs

Particulars	Approved	Actual
Maintenance of Building	1.14	1.17
Cable ,HT Lines	13.04	11.99
LT lines	4.63	3.77
Vehicles/fuel	1.93	3.01
Others	0.31	0.29
Total	21.05	20.23

16. The expense on vehicles is higher than the approved amount by Rs.1.08 lakh and the licensee had clarified that it is on account of the increase in fuel charges for the year and frequent break-down of power line due to monsoon. The actual repair and maintenance cost of Rs. 20.23 lakh is approved for the year 2013-14.

17. Administration and General Expenses: The Commission had, in its order on ARR dated 15-05-2013, clearly stated that the charges for the bank guarantee provided to KSEB as per the directions of the Hon'ble Supreme Court in Civil Appeal No.2144/2011 against the order of the Commission dated 25.05.2010 revising the BST retrospectively from 01.12.2011, is not admissible and accordingly the approved A&G expenses for the year 2013-14 is Rs.8.94 lakh. It is further directed that the licensee shall limit the expenses at the approved level. The actual A&G expense is higher than the approved amount of Rs.9.57 lakh. The actual amount booked under A&G expenses is Rs.18.51 lakh and it includes bank charges of Rs.6.22 lakh as detailed below.

Table 9
KDHPCL-Comparison of A&G Expenses

Rs in lakhs

	2010-11	2011-12	2012-13	2013-14
Particulars	(Actuals)	(Actuals)	(Actuals)	(Actuals)
Rents, Rates and Taxes	0.64	0.94	0.44	0.55
Security Arrangement	0.48	0.56	0.87	0.87
Insurance	0.14	0.41	0.14	0.28
Telephone/Telex charges	0.07	0.08	0.05	0.06
Legal charges	22.95	18.25	1.98	0.28
Bank charges on Bank Guarantee	0.61	4.76	6.42	6.22
Audit Fees & consultancy charges	0.55	1.3	0.56	0.56
Travelling expenses	0.07	0.15	0.05	0.17
Conveyance and vehicle charges	0.14	0.17	0.14	0.01
Fees and subscription	0.50	1.05	0.45	0.51
Printing and Stationery	0.30	0.05	0.62	1.05
Advertisement	0.29	0.11	-	-
Electricity charges	0.51	0.36	0.62	3.91
Miscellaneous expenses	4.85	7.58	2.89	4.04
Total	32.10	35.77	15.23	18.51

The actual A & G expenses, excluding the bank guarantee is only Rs.12.29 lakh. The Commission approves the A & G expenses of Rs.12.29 lakh for the purpose of truing up.

18. **Depreciation**: - The actual depreciation booked for the year is Rs.15.79 lakh which is less than the approved amount of Rs.16.51 lakh. The details of the depreciation approved by the Commission in the ARR for the year is tabulated below:

Table 10 KDHPCL-Depreciation approved in the ARR for the year 2013-14

	Average Gross	Rate of	Depreciation
	Fixed Assets	depreciation	(Rs.lakh)
11 kV Works	211.59	5.28%	11.17
LT Lines, Service connections, etc	41.66	5.28%	2.20
Metering equipment	38.51	6.33%	2.44
Miscellaneous equipment	22.53	6.33%	1.43
Others	1.00	6.33%	0.06
Grand Total:	315.29		17.30
(Less) Consumer contribution	14.96	5.28%	0.79
Total Depreciation allowable			16.51

The licensee has estimated the depreciation at 5.28% and 6.33% based on the revised CERC norms applicable from 2009-14 tariff periods. As per the order dated 15.05.2013 on ARR, the Commission had stated that the licensee should estimate the depreciation during the truing up process, as provided in the CERC regulations duly considering the vintage of assets. The depreciation proposed in the application is shown hereunder.

Table 11
KDHPCL- Depreciation claimed for the year 2013-14

	Gross Fixed	Rate of	Depreciation
	Assets (2013-14)	depreciation	(Rs.lakh)
11 kV Works	198.48	5.28%	10.48
LT Lines, Service connections, etc	40.16	5.28%	2.12
Metering equipment	34.30	5.28%	1.81
Miscellaneous equipment	22.25	6.33%	1.41
Grand Total:	295.19		15.82

As per the order dated 13-04-2012 of the Commission, depreciation on assets created out of consumer contribution is not allowable. After considering the claims of the licensee and the orders issued by the Commission the depreciation approved for the year 2013-14 is shown below.

Table 12
KDHPCL-Depreciation approved in the ARR for the year 2013-14

	Gross Fixed	Rate of	Depreciation
	Assets	depreciation	(Rs.lakhs)
11 kV Works	198.48	5.28%	10.46
LT Lines, Service connections, etc	40.16	5.28%	2.12
Metering equipment	34.30	5.28%	1.81
Miscellaneous equipment	22.25	6.33%	1.40
Grand Total:	295.19		15.82
(Less) Consumer contribution	14.96	5.28%	0.79
Total Depreciation allowable			15.03

Hence, the Commission approves Rs.15.03 lakh as the depreciation for 2013-14 and directs that the licensee shall maintain the accounts strictly as per the provisions of revised CERC norms to avail the depreciation.

19. **Others debits**: - The details of the amounts under the head other debits are as follows.

Table 13
KDHPCL- Details of other debits for the year 2013-14
(Rs. lakh)

Particulars	Approved	Actual
Section 3 duty	-	12.17
Duty on distribution loss	-	0.53
Inspection Charges	0.20	0.42
Total	0.20	13.11

- 20. The licensee has included duty on the distribution loss, Section 3 duty and periodical charges under the debits totaling to Rs.13.11 lakh under other debits. The Commission in the order on ARR for the year had stated that the duty under Section 3 of the Kerala Electricity Duty Act cannot be passed on to the consumers in view of the statutory provisions in the said Act and distribution loss is as part of duty under Section 4. The same view is followed as in the past orders and therefore Rs.0.42 lakh is approved under other debits of the licensee.
- 21. **Return on Equity:** The licensee has not shown any equity contribution in the distribution business. In the absence of actual equity in the distribution business, the Commission had provisionally approved a notional return of Rs.5 lakh for the year 2013-14 as per ARR order. Since the licensee has not submitted any reasonable ground for a better claim, the Commission approves the same amount of Rs.5 lakh towards the return on equity for the year 2013-14.
- 22. **Gross Revenue requirements:** Based on the above, the Gross revenue requirement for the year 2013-14 after truing up is as shown below:

Table 14

KDHPCL-Gross Revenue Requirements after truing up for 2013-14

(Rs.lakhs)

Particulars	Approved	Actuals	Trued up
Power Purchase Cost	1844.11	1949.58	1864.83
Interest & Financing Charges	10.48	96.77	9.26
Depreciation	16.51	15.79	15.03
Employee Cost	72.13	102.64	72.48
R&M Expenses	21.05	20.23	20.23
A&G Expenses	8.94	18.51	12.29
Other debits	0.20	13.11	0.42
Return on Equity	5.00	1	5.00
<b>Gross Revenue Requirements</b>	1978.42	2216.63	1999.54

23. Revenue from sale of power: - The revenue from the sale of power booked by the licensee according to the truing up petition submitted is Rs.2065.14 lakhs. The Commission had approved the revenue from sale of power as Rs.1953.75 lakh in the ARR order. The increase in revenue is mainly on account of tariff revision. Details of revenue from energy sales furnished by the licensee are given below.

Table 15
KDHPCL- Details of Revenue from Sale of Power for 2013-14

	Actual		
Category	Sales	Revenue	Average Tariff
	(MU)	(Rs.lakhs)	(Rs./kWh)
HT Industrial	23.68	1317.24	5.56
HT III Agriculture	0.27	9.23	3.45
HT IV Commercial	2.13	171.38	8.06
LT Domestic	6.91	180.67	2.62
LT Colonies	0.07	5.14	6.91
LT Industries	0.59	30.28	5.13
LT Agriculture	0.01	0.27	1.84
LT Non-domestic	0.71	55.98	7.85
LT Commercial	2.77	258.46	9.33
Street lighting	0.32	7.92	2.50
Total	37.46	2036.57	5.44

24. The revenue from other charges such as reconnection fee, delayed payment surcharge etc., is reported to be Rs.28.56 lakhs as shown below.

Table 16

KDHPCL- Details of other income for the year 2013-14

Items	Amount in Rs.lakh)
Fuse off calls/new application fee	0.05
Reconnection fee	0.27
Interest received on deposits with	
KSEB	9.02
Public lighting	0.19
Delayed payment charges	1.93
Other receipts	17.10
Total	28.56

Thus the total revenue from tariff as reported by the licensee as per the accounts is Rs.2065.14 lakh.

25. **Non tariff income**: The licensee has claimed a non tariff income of Rs.16.21 lakh under miscellaneous recoveries against the approved Rs.8.43 lakh. The licensee has stated that the increase is on account of miscellaneous income relating to the operations. The licensee has not provided any other details for their claim under miscellaneous recoveries. The Commission approves the non-tariff income as Rs.16.21 lakh for the purpose of truing up.

Table 17
KDHPCL- Details of amounts approved in Truing up for the year 2013-14
(Rs.lakh)

Particulars	ARR	Truing up			
	Approved	Claimed	Approved		
Expenses					
Power Purchase Cost	1844.11	1949.58	1864.83		
Interest & Financing Charges	10.48	96.77	9.26		
Depreciation	16.51	15.79	15.03		
Employee Cost	72.13	102.64	72.48		
R&M Expenses	21.05	20.23	20.23		
A&G Expenses	8.94	18.51	12.29		
Other debits	0.20	13.11	0.42		
Return on Equity	5.00	-	5.00		
Gross Revenue Requirements	1978.42	2216.63	1999.54		
Revenue					
Revenue from sale of power	1953.75	2065.14	2065.14		
Other Income	8.43	16.21	16.21		
Total Revenue	1962.18	2081.35	2081.35		
Revenue Surplus/(Gap)	(16.24)	(135.28)	81.81		

#### **Orders of the Commission**

- 26. The Commission after considering the application filed by M/s. KDHPCL for truing up of accounts for the year 2013-14, objections raised by KSEB Ltd and the clarifications and details provided by the licensee, approves the total expenditure of Rs.1999.54 lakh and a total revenue of Rs.2081.35 lakh with a revenue surplus of Rs.81.81 lakh.
- 27. The petition is disposed off. Ordered accordingly.

Sd/-K.Vikraman Nair Member Sd/-T.M. Manoharan Chairman

Approved for issue

Sd/-

Santhosh Kumar.K.B Secretary