

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present : Shri. R. Preman Dinaraj, Chairman
Adv. A J Wilson, Member

OP No.18 /2022

In the matter of : Condonation of delay in filing the petition of ARR&ERC for
the Control Period from 2022-23 to 2026-27
Petitioner : M/s Infopark

Order dated 24-03-2022

1. Instant petition is for condoning the delay in filing the petition of ARR&ERC for the Control Period from 2022-23 to 2026-27 by M/s Infopark (hereinafter referred to the licensee or the petitioner). As per Regulation 10(1)(i) of the KSERC (Terms and conditions for determination of Tariff) Regulations 2021, the petition for approval of ARR&ERC, including capital investment plan for each year of the control period is to be filed by the licensee on or before 31-12-2021. M/s Infopark has filed petition for approval of ARR&ERC for the control period 2022-23 to 2026-27 vide letter dated 14-03-2022, which was received on 15-03-2022 in the Office of the Commission. Since there was a delay in filing the petition, Infopark has filed petition for condonation of delay along with prescribed fees.
2. Infopark in their petition states the KSERC (Terms and Conditions for Determination of Tariff) Regulations, 2021 has stipulated time limit up to 31st December 2021 for filing the petition for Petitions for approval of Aggregate Revenue Requirement and related matters. Infopark further submits that the petition could to not be submitted in time because of the following reasons.
 - a. Infopark is engaging only the very minimal office staff to carry out the business functions so as to minimize the overall cost. Therefore, they had been heavily loaded. The regulatory matters were handled by Infopark staff and Infopark had several clarifications required in preparation of the petition in view of the disallowance the interest on capital loans, depreciation and return on investment during the past control period for lack of clarity in the petitions.
 - b. There was no experts engaged to advise on the matter. Genuinely, this had caused delay in submitting the petitions and clarifications sought by the Commission. It is also brought to the attention of the Commission that; the delay has not been caused by any negligence or laxity on the part of the petitioner. An experienced consultant had been engaged to help the staff on

a case-to-case basis. Infopark has been earnestly striving to submit the petitions and clarification since then and clear the pending submissions one-by-one. Infopark has resolved and promise the Commission that future petitions, clarifications and reports will be submitted in time.

3. Infopark, therefore, prayed before the Commission to kindly condone the delay in filing the petition for approval of ARR&ERC for the Control Period 2022-23 to 2026-27.
4. The Commission examined the matter and the reasons given by the licensee for condoning the delay. As per Regulation 10(1)(i) of the KSERC (Terms and conditions for determination of Tariff) Regulations 2021, the petition for approval of ARR&ERC including capital investment plan for each year of the control period is to be filed by the licensee on or before 31-12-2021. The licensee vide letter No. INFOPARK/KSERC/021/2022 dated 07-01-2022 had sought time extension for filing ARR&ERC for the control period from 2022-23 to 2026-27 till 15.02.2022 and the Commission granted extension till 20-01-2022 vide letter dated 11.01.2022. Further, vide letter No. INFOPARK/KSERC/203/2022 dated 16-02-2022, Infopark again sought time extension for filing ARR&ERC for the control period from 2022-23 to 2026-27 till 07-03-2022 and the Commission directed to file the petition along with delay condonation petition. So, for the purpose of computation of delay, the Commission has taken the period from the date till which extension was granted to the date of receipt of petition by the Commission, i.e, from 20.01.2022 to 15.03.2022. Accordingly, there is a delay of 53 days in filing the petition. The Commission after considering the administrative reasons is of the view that the delay can be condoned.

Orders of the Commission

5. After considering the matter in detail, the Commission hereby condones the delay of 53 days in the filing and admits the petition on ARR&ERC for the Control Period from 2022-23 to 2026-27 of the licensee for further processing.

Sd/-

Adv. A. J. Wilson
Member (Law)

Sd/-

Preman Dinaraj
Chairman

Approved for issue

Secretary