

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

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

OP No.26 /2022

In the matter of : Condonation of delay in filing the petition for approval of
ARR&ERC for the Control Period from 2022-23 to 2026-27

Petitioner : M/s KINESCO Power and Utilities Pvt Ltd.

Order dated 28-04-2022

1. Instant petition is for condoning the delay in filing the petition for approval of ARR&ERC for the Control Period from 2022-23 to 2026-27 by M/s KINESCO Power and Utilities Pvt Ltd. (hereinafter referred to as 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 Aggregate Revenue Requirement and Determination of Tariff separately for each year of the Control Period, including capital investment plan for each year of the Control Period is to be filed by the licensee on or before the Thirty first day of December 2021. M/s KINESCO Power and Utilities Pvt Ltd. has filed petition for approval of ARR&ERC for the control period 2022-23 to 2026-27 vide letter dated 21-04-2022, which was received on 22-04-2022 in the Office of the Commission. Since there was a delay in filing the petition, M/s KINESCO Power and Utilities Pvt Ltd has filed petition for condonation of delay along with prescribed fees.
2. M/s KINESCO Power and Utilities Pvt Ltd in their petition stated that, they have filed the petition for Aggregate Revenue Requirement, Expected Revenue from Charges and Capital Investment Plan for the MYT control period starting from 2022-23 to 2026-27 as per the provisions of KSERC (Terms and Conditions of Determination of Tariff) Regulations 2021.
3. M/s KINESCO Power and Utilities Pvt Ltd in their petition further stated vide letter No. KINESCO/KSERC/2021-22/129 dated 31.12.2021 that, they have requested the Commission to grant time upto 28th February 2022 to submit the ARR & ERC petitions and the Commission vide letter No. 2515/Con(F)/2021/KSERC/10 dated 06.01.2022 allowed time limit for filing ARR & ERC petitions upto 20.01.2022.

4. M/s KINESCO Power and Utilities Pvt Ltd further submitted that the delay in filing the petition was due to the following reasons.
 - a) Detailed planning and study was necessitated to estimate and projection of various controlling parameters like Energy Consumption, Revenue from Sale of Power, Power Purchase Expenditure, R&M Expenditures and Capital nature Investments for a control period of five years starting from 2022-23 to 2026-27. Since KPUGL has since been running the licensee activities with the limited personnel, these activities have been delayed.
 - b) KPUGL was engaged in the preparation of petition for inclusion of KINFRA Petrochemical Park as additional license area for which the hearing of petition was completed on 11.03.2022.
 - c) The data provided in the ARR-ERC forms have been checked and verified by Chartered Auditors and hence an administrative delay has been occurred in finalizing the data and thereby preparation of final petition.
5. M/s KINESCO Power and Utilities Pvt Ltd, therefore, prayed before the Commission to kindly condone the delay caused by the above mentioned factors in filing the petition for approval of ARR&ERC for the Control Period 2022-23 to 2026-27 as per the provisions of KSERC (Terms and conditions for determination of Tariff) Regulations 2021.
6. 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. KINESCO/KSERC/2021-22/129 dated 31.12.2021 requested the Commission to grant time upto 28th February 2022 to submit the ARR & ERC petitions for the control period from 2022-23 to 2026-27 and the Commission vide letter No. 2515/Con(F)/2021/KSERC/10 dated 06.01.2022 allowed time limit for filing ARR & ERC petitions upto 20.01.2022. 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 21.01.2022 to 22.04.2022. Accordingly, there is a delay of 91 days in filing the petition. The Commission after considering the matters relating to time requirement for detailed planning and study and other administrative reasons is of the view that the delay can be condoned.

Orders of the Commission

7. After considering the matter in detail, the Commission hereby condones the delay of 91 days in the filing and admits the petition for approval of 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

Sd/-

Secretary