

**KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM**

Present: Shri. R. Preman Dinaraj, Chairman

Shri. Adv. A.J Wilson, Member (Law)

IA.No.13/2021

In the matter of : Condonation of delay in filing of Truing Up of Accounts petition
for the financial year 2018-19

Petitioner : M/s KINESCO Power and Utilities Private Limited (KPUPL)

Order dated 26-07-2021

1. Instant petition is for condoning the delay in filing of the Truing up of accounts petition for the year 2018-19 by M/s KINESCO Power and Utilities Private Limited (KPUPL). As per Regulation 10(2) of the KSERC (Terms and conditions for determination of Tariff) Regulations 2018, the petition for Truing Up of accounts for 2018-19 is to be filed by the licensee on or before 30-11-2019. However, the Truing up petition for the year 2018-19 was filed on 14-07-2021 with a delay of 593 days. The petitioner has submitted that the delay in filing the petition was occurred due to the following reasons
 - a) That due to the out-break of the pandemic Covid-19 and the consequent lockdown, there was a lot of manpower loss and office work was also hampered.
 - b) That the ARR-ERC for the multi-year control period from 2018-19 to 2021-22 was filed for the kind consideration of the Hon'ble Commission and was also revised during the period and submitted for consideration. It may be noted that the Hon'ble Commission conducted two hearings on this petition during the year 2020.
 - c) That KPUPL has since been running the licensee activities with the limited personnel, regulatory compliance for many past years as above, have completely engaged the time of the personnel and have delayed regular compliance.
2. The petitioner further requested to condone the delay caused by above and also remitted the requisite fee for the petition for the condonation of delay.

3. As per the provisions of the Regulations, the petition for Truing Up for 2018-19 has to be filed by 30-11-2019. Further, the Commission vide letter dated 09-09-2020 had directed all licensees to file pending Truing Up of Accounts petition by 15-10-2020. The Commission also issued directions to the licensee vide Daily Order dated 01-10-2020 to file pending Truing Up of accounts petition for the year 2018-19 not later than 31-12-2020. In compliance of these directions by the Commission, the licensee filed the Truing Up of accounts petition for the year 2018-19 along with condonation of delay petition vide letter dated 14-07-2021.
4. The Commission has examined the matter and the reasons given by the licensee for the delay and is of the view that, considering the matters relating to lockdown and the reasons submitted by the petitioner, the delay of 593 days in filing the Truing up of accounts petition for the financial year 2018-19 can be condoned, as a special cause. Such relaxation shall not be allowed in future.

Orders of the Commission

5. After considering the matter in detail, the Commission hereby condones the delay of 593 days in the filing as a special cause, and admit the petition on Truing up of Accounts for 2018-19 of the licensee for further processing. The matter scheduled for hearing on 27-08-2021 at Kochi.

Sd/-
Adv. A.J. Wilson
Member (Law)

Sd/-
Preman Dinaraj
Chairman

Approved for issue,
Sd/-
Secretary (i/c)