

# KERALA STATE ELECTRICITY REGULATORY COMMISSION THIRUVANANTHAPURAM

## IA No.1/2019 in RP NO.2/2019

In the matter of : Petition for Condonation of delay in filing the Review Petition against Order in OA 6/2018 dated 21-8-2018 on Truing up of Accounts of KSEB Ltd for the year 2015-16

Applicant : Kerala State Electricity Board Limited  
Thiruvananthapuram

Present : Shri. Preman Dinaraj, Chairman  
Shri. S. Venugopal, Member  
Shri. K.Vikraman Nair, Member

### **Order dated 05/03/2019**

1. M/s KSEB Ltd in filed a petition on 6-2-2019 for Review of the Order of the Commission in OA 6/2018 dated 21-08-2018 on Truing up of Accounts of KSEB Ltd for the year 2015-16. Along with the petition, KSEB Ltd had also filed a petition for condonation of delay of 125 days in filing the Review petition for the consideration of the Commission.
2. In the petition for condonation of delay, KSEB Ltd has explained the reason for the delay as shown below:

*"..... copy of the order was communicated as per letter dated 23-08-2018 and received on 30-08-2018. In the meanwhile proceedings were continuing on the truing up petition for 2016-17 and reply to various queries beign raised on the petition submitted till 03-9-2018. Truin gup order for 2016-17 dated 14-9-2018 was communicated as per letter dated 17-9-2018. Thus two important orders having significant financial implication to KSEB Ltd were issued within a short span of time. Both orders were analysed in depth for which remarks were to be obtained from various offices of KSEBL.*

*In the meanwhile, Hon'ble Commission notified Tariff Regulations 2018 on 5-10-2018 for control period of 4 years from 2018-19 to 2021-22 and directed KSEBL to submit petition on or before 31-10-2018. Within a short span stipulated time KSEBL submitted first of its kind ARR&ERC petition, for its functional units fo SBU-G, SBU-T, SBU-D, along with detailed capital investment plan for the 4 year control period, Further tariff revision proposal was also filed for 2018-19 and 2020-21. Proceedings on the petition including clarification on queries and objection shave to be furnished on a war footing, which was extended till 10-1-2019.....”*

3. Thus, KSEB Ltd stated that processing of review petition was delayed accordingly and it was not due to any latches or negligence on the part of the petitioner.
4. The Commission has examined the petition furnished by KSEB Ltd. As per Regulation 67 of the KSERC (Conduct of Business) (Amendment) Regulations 2014, any person or party affected by the decision, direction or order of the Commission may, within forty five days of making such decision, direction or order, apply for a review. In the present case, the Order was issued on 21-8-2018 and there is 125 days of delay. Since the delay was explained and there is no willful delay on the part of the petitioner, the Commission deems it fit to condone the delay.

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

5. Delay condoned. Review petition RP No.2/2019 is admitted. Posted for hearing on 19-3-2019.

Sd/-  
K.Vikraman Nair  
Member

Sd/-  
S. Venugopal  
Member

Sd/-  
Preman Dinaraj  
Chairman

Approved for issue

G.Jyothichudan  
Secretary