

KERALA STATE ELECTRICITY REGULATORY COMMISSION THIRUVANANTHAPURAM

NOTIFICATION

No. 2114/CT/KSERC/2013

Dated, Thiruvananthapuram 29th November, 2014

In exercise of the powers conferred by sub-section (1) of section 181 of the Electricity Act, 2003 (Central Act 36 of 2003), and all other powers enabling it in this behalf and after previous publication, the Kerala State Electricity Regulatory Commission hereby makes the following Regulation to amend the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003, namely:-

REGULATIONS

1. *Short title and commencement.*- (1) These Regulations may be called the Kerala State Electricity Regulatory Commission (Conduct of Business) Third Amendment Regulations, 2014
(2) They shall come into force on the date of publication of the same in the Kerala Gazette
2. Amendment of Regulation,-In the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations, 2003, for Annex II attached to the Regulations, the following Annex shall be substituted, namely:-

“Annex II
SCHEDULE OF FEES
[See regulation 64 (1)]

Sl. No.	Nature of petition/Application	Fees
(1)	(2)	(3)
1	Petition for approval of Aggregate Revenue Requirement & Expected Revenue from Charges and /or for determination or revision of tariff by licensees,- (i) in the case of annual filing	0.015% of Annual Revenue expected subject to a minimum of Rs.50,000/-

(1)	(2)	(3)
	(ii) in the case of initial filing under Multi Year Tariff (MYT) system	0.020% of Revenue expected for the entire period
	iii) in the case of annual filing within the control period of MYT system, including Annual Performance Review (APR) and for Truing up	0.010% of the annual revenue expected
2	Petition for approval of ARR&ERC of SLDC and determination of fees and charges to be levied by SLDC under section 32(3)	0.015% of Annual Revenue expected subject to a minimum of Rs.10,000/-
3	Petition for determination of tariff for supply of electricity made by a conventional generation project	At the rate of Rs.4,000/- per MW per annum subject to a minimum of Rs.1,00,000/-
4	Petition for determination of tariff for supply of electricity made by a renewable energy and cogeneration project,-	
	(i) Up to 1 MW	Rs. 1,00,000/-
	(ii) Additional one MW or part thereof	Rs. 10,000/-
5	Petition for adoption of tariff under Section 63 of the Electricity Act, 2003,-	
	(i) Short term	Nil
	(ii) Medium term and Long term	Rs.100/- per MW per annum or part thereof subject to a minimum of Rs.10,000/-
6	Petition for determination or revision of tariff for transmission or wheeling of electricity made by,-	
	(i) KSEB Ltd.	Rs.50,000/-
	(ii) Licensees other than KSEB Ltd.	Rs.10,000/-
7	Petition for determination of open access charges such as cross subsidy surcharge, additional surcharge, standby charges, grid support charges, reactive energy charges and any other charges to be levied by,-	
	(i) KSEB Ltd.	Rs.50,000/-
	(ii) Licensees other than KSEB Ltd.	Rs.10,000/-
	<u>Note</u> :- If the licensee files the petition for the determination of open access charges etc. along with the petition for ARR and tariff vide item (1) above, separate fee need not be remitted for determining transmission charges, wheeling charges, open access charges etc.	
8	Petition for approval of PPA	
	(i) For capacity below 5 MW	Rs.20,000/-

(1)	(2)	(3)
	(ii) For capacity 5 MW and above but below 50 MW	Rs.50,000/-
	(iii) For capacity 50 MW and above but below 100 MW	Rs.1,00,000/-
	(iv) For Capacity 100 MW and above	Rs.1,50,000
9	Petition for truing up for annual filings	0.015% of the amount which exceeds the approved ARR subject to a minimum of Rs.10,000/-
10	Petition for fuel surcharge	0.015% of the increase in revenue expected subject to a minimum of Rs.10,000/-
11	Petition for Review in respect of,-	
	(i) Tariff Order /ARR Order/Truing up order	Rs.1,00,000/-
	(ii) Other orders	Rs.20,000/-
12	Petition for approval of schedule of charges for distribution licensee under sections 45 and 46 of the Electricity Act, 2003 for,-	
	(i) Approval of cost data for recovery of expenditure for KSEB Limited	Rs.5,00,000/-
	(ii) Approval of cost data for recovery of expenditure for other licensees	Rs.50,000/-
	(iii) Approval of schedule of miscellaneous charges for KSEB Limited <i>as per the Kerala Electricity Supply Code, 2014</i>	Rs.50,000/-
	(iv) Approval of schedule of miscellaneous charges for other licensees <i>as per the Kerala Electricity Supply Code, 2014</i>	Rs.10,000/-
13	Petition for adjudication of disputes under Sections 9, 33(4), 35, 67 (4) and 86 (1) (f) of the Electricity Act, 2003, regarding,--	
	(i) Availability of Transmission facility (Sec.9)	Rs.50,000/-
	(ii) Directions of SLDC under section Section 33(1)	Rs.1,00,000/-
	(iii) Surplus capacity of intervening transmission facilities (Sec.35)	Rs.50,000/-
	(iv) Action while undertaking works, compensation etc., by licensees under section 67(3)	Rs.20,000/-
	(v) between licensees and generating companies under section 86(1) (f),-	
	a) in cases with claim for money	1% of the monetary value of claim, subject to a minimum of Rs.1,00,000/-
	b) in all other cases	Rs.1,00,000/-

(1)	(2)	(3)
14	Application seeking prior approval under Sec 17 of the Electricity Act, 2003,--	
	(i) to undertake any transaction to acquire by purchase or take over or otherwise the utility of any other licensee under Sec 17 (1) (a) or merge his utility with the utility of any other licensee in the State under Sec 17 (1) (b)	Rs.5,00,000/-
	(ii) to assign his license or transfer his utility or any part thereof by sale, lease, exchange or otherwise at any time under Sec 17 (3)	Rs.5,00,000/-
15	Application for amendment of licence under Sec 18 of the Electricity Act, 2003, made by,--	
	(i) a Licensee	Rs.1,00,000/-
	(ii) any other person	Rs.10,000/-
16	Petition for condonation of delay in filing petitions	Rs.10,000/-
17	Interlocutory application made by,--	
	(i) a licensee	Rs.5,000/-
	(ii) Others	Rs.1,000/-
18	(1) Complaint filed under section 142 of the Electricity Act, 2003,-	Rs.10,000/-
	(2) Complaint filed against non-compliance of orders / awards of the Consumer Grievances Redressal Forum or of the Electricity Ombudsman	Nil
19	Application for inspection of documents	Rs.500/-
20	Application for authenticated copies	Rs.100/-
21	Charges for authenticated copies of orders	Rs.5/page
22	Petition by the Government of Kerala	Nil
23	Any other petition	Rs.10,000/-

By order of the Commission,

K. Mathew Kurien
Secretary

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Consequent to the issuance of new Regulations by the Central and State Electricity Regulatory Commissions, and directions of Appellate Tribunal for Electricity, new areas of operation have to be enforced in the regulatory regime. Some of them are the Multi year tariff filing, determination of SLDC charges, determination of tariff for conventional generation projects, determination of tariff for conventional and co-generation projects, adoption of tariff for purchase of power for short term/medium term/long term, determination/revision of transmission/wheeling tariff, determination of open access charges such as cross subsidy charges, additional surcharge, standby charges, grid support charges, reactive energy charges, approval of cost data/miscellaneous charges (as per the Kerala Electricity Supply Code, 2014), adjudication of petitions involving monetary value etc. In certain category of fees already in force, commission considers a review based on the merit of each case. Hence, it is considered necessary to consolidate and revise the rates of fees already in force judiciously considering all aspects of the issues and to repeal the Kerala State Electricity Regulatory Commission (Fees) Regulations, 2007.

This notification is intended to achieve the above purpose.