



**KERALA STATE
ELECTRICITY REGULATORY COMMISSION**

ANNUAL REPORT

2020-2021

**(To be placed before the Kerala Legislative Assembly, as per Section 105 of
Electricity Act, 2003)**

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1. INTRODUCTION

The Kerala State Electricity Regulatory Commission, established in the year 2002, entered into its 19th year of service in 2020-21. During this period, this Commission has taken all efforts to establish, maintain and perpetuate a fair, transparent and objective regulatory system in the Power Sector in the State of Kerala. The objective of this Annual Report is to present to the Hon'ble Legislature, licensees, stakeholders and interested public, the Commission's activities during the financial year 2020-21. As in the previous reports, this annual report also provides an insight into the earnest and concerted efforts made by the Commission for achieving its functions specified in the Electricity Act, 2003.

2. THE COMMISSION

The Kerala State Electricity Regulatory Commission was constituted as a quasi-judicial body under Sub-section (1) of Section 17 of the Electricity Regulatory Commissions Act, 1998 vide Government Order G.O.(MS).No.34/2002/PD dated 14th November, 2002, published in the Government of Kerala Gazette, Extra-Ordinary dated 18th November, 2002. The Commission is a body corporate having perpetual succession and a common seal, with the power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue or be sued. The Commission, came under the purview of the Electricity Act, 2003, with effect from 10th June, 2003 as the Electricity Regulatory Commissions Act, 1998 was repealed.

The Commission consists of a Chairperson and two Members. In recognition of the need for a multi-disciplinary approach so as to address issues related to objective, unbiased and independent regulations, the statute prescribes that the Chairperson and Members shall be persons of ability, integrity and standing who have adequate knowledge, experience and proven capacity in dealing with problems relating to engineering, finance, commerce, economics, law or management. The Chairperson and the Members are appointed by the Government of Kerala on the recommendation of a Selection Committee constituted under the statute. The statute also provides for the appointment of a Secretary to the Commission, whose powers and duties are as delegated by the Commission.

3. FUNCTIONS OF THE COMMISSION

The Commission is vested with the responsibility of performing the following functions under Section 86 and other enabling provisions of the Electricity Act, 2003.

- (a) Determination of the tariff for generation, supply, transmission and wheeling of electricity, wholesale, bulk or retail, as the case may be, within the State;
- (b) Regulating the purchase of electricity and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State;

- (c) Facilitating intra-state transmission and wheeling of electricity;
- (d) Issuance of licences to persons seeking to act as transmission licensees, distribution licensees and electricity traders with respect to their operations within the State;
- (e) Promoting co-generation and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee;
- (f) Adjudication of the disputes between the licensees and generating companies and to refer any dispute for arbitration;
- (g) Levying fee for the purposes of the Electricity Act, 2003;
- (h) Specifying Kerala Electricity Supply Code;
- (i) Specifying State Grid Code;
- (j) Specifying regulations relating to standards of performance and enforcement of standards with respect to quality, continuity and reliability of service by licensees;
- (k) Fixing the trading margin in the intra-State trading of electricity, if considered, necessary;
- (l) Discharging such other functions as may be assigned to it under the Electricity Act, 2003;
- (m) Advising the State Government on all or any of the following matters, namely:—
 - (i) Promotion of competition, efficiency and economy in the activities of the electricity industry;
 - (ii) Promotion of investment in the electricity industry;
 - (iii) Reorganization and restructuring of the electricity industry in the State;
 - (iv) Matters concerning generation, transmission, distribution and trading of electricity or any other matter referred to the State Commission by the State Government.
- (n) Management of Kerala State Electricity Regulatory Commission Fund constituted under Section 103 of the Electricity Act, 2003.

4. CHAIRMAN AND MEMBERS OF THE COMMISSION

Shri.R.Preman Dinaraj, IA&AS (Retd.) [former Principal Accountant General (Kerala)] who was sworn in as Chairman on 1st August 2017 continued as Chairperson. Shri.S.Venugopal continued as Member till his retirement, on attaining five years of service in the Commission on 28.04.2020. Adv.A.J.Wilson, was sworn in as Member on 27.11.2020 and continued as Member. Shri.C.R.Satheesh Chandran continued as Secretary i/c during the year 2020-21.

5. OFFICE OF THE COMMISSION

The Office of the Kerala State Electricity Regulatory Commission is located at KPFC Bhavanam on C.V. Raman Pillai Road, Vellayambalam, Sasthamangalam P.O., Thiruvananthapuram – 695010.

6. STATE ADVISORY COMMITTEE

The State Advisory Committee constituted as per Section 88 of the Electricity Act, 2003 is entrusted with the task of advising the Commission on major questions of policy, matters relating to quality, continuity and extent of service provided by the licensees; compliance by licensees with the conditions and requirement of their license, protection of consumer interest and electricity supply and overall standards of performance by utilities. The Committee was reconstituted as per notification No. 955/ Admn./2013/KSERC dated 24.07.2020.

The following were the members of Committee.

(i)	Shri. Preman Dinaraj.R, Chairman Kerala State Electricity Regulatory Commission	:	Ex-officio Chairman
(ii)	Shri. A.J.Wilson , Member Kerala State Electricity Regulatory Commission	:	Ex-officio Member
(iii)	The Secretary, Power Department, Government of Kerala, Thiruvananthapuram.	:	Ex-officio Member
(iv)	The Secretary, Consumer Affairs Department, Government of Kerala, Thiruvananthapuram.	:	Ex-officio Member
(v)	The Chairman and Managing Director, Kerala State Electricity Board Ltd, Vyduthi Bhavanam, Pattom, Thiruvananthapuram.	:	Member
(vi)	The Director (Distribution),Kerala State Electricity Board Ltd, Thiruvananthapuram	:	Member
(vii)	The Director, Energy Management Centre, Sreekariyam P.O., Thiruvananthapuram.	:	Member
(viii)	Shri.P.M Sree Krishnan, Executive Director, Kanan Devan Hills Plantations Company Private Limited, Munnar	:	Member
(ix)	Shri.T.S.Jose, Electrical Engineer, Assistant Secretary, Electricity Department, Thrissur Corporation Electricity Department, Thrissur	:	Member
(x)	The Director, ANERT, Thiruvananthapuram	:	Member
(xi)	The Director, N.T.P.C., Kayamkulam	:	Member
(xii)	Shri.Vijaya Kumar.K, IRSEE, Senior Divisional Electrical Engineer, Trivandrum Division, Southern Railway	:	Member
(xiii)	Shri.K.P.Jayachandran,Chairman, Bar Council of Kerala, Bar Council Campus, High Court Road, Kochi	:	Member
(xiv)	Shri. A.Chandrakumaran Nair, Airport Director and Executive Director of Cochin International Airport (CIAL), Ernakulam	:	Member

(xv)	Shri.Ashokan Koodalil, Chairman, Friends of Electricity Employees and Consumers, 'Madhavam', Mayanad P.O., (Via.) Medical College, Kozhikode	:	Member
(xvi)	Shri. S.N.Raghuchandran Nair, President, Chamber of Commerce and Industry, T.T.C. Road, Jawahar Nagar, Kowdiar, Thiruvananthapuram	:	Member
(xvii)	Shri. S.Krishna Kumar, Chairman, Confederation of Real Estate Developers' Association of India (CREDAI), C/o SI Property (Kerala) Private Ltd., 'Silver Oaks', Near Golf Club, Thiruvananthapuram	:	Member
(xviii)	Shri.A.R.Satheesh, President, The High Tension & Extra High Tension Industrial Electricity Consumers' Association, Productivity House, Kalamassery, Ernakulam District	:	Member
(xix)	Shri.M.Khaleed, State President, Kerala State Small Industries Association, HMT Industrial Estate, HMT Colony, Kalamassery, Ernakulam District	:	Member
(xx)	Shri.Jayaprakash, Kamalayam, Edachira, Kadalundy, Kozhikode	:	Member

7. STATE CO-ORDINATION FORUM

In 2006, the Government of Kerala constituted a State Co-ordination Forum under Section 166 (4) of the Electricity Act, 2003, which was reconstituted in 2011. Thereafter, since most of the members of the Forum have retired or been transferred from their position, a proposal for reconstituting the Forum by nominating members by their designation and not by their individual names, was forwarded to the Government. As per G.O. (Rt.) No.136/2018/Power dated 24.07.2018 and published as S.R.O No.544/2018 in Kerala Gazette Extraordinary No.2099 dated 06.08.2018, Government of Kerala have reconstituted the Coordination Forum with the following members in their official capacity. The Chairman, Kerala State Electricity Regulatory Commission shall be the Chairman of the State Coordination Forum.

1. Chairman, Kerala State Electricity Regulatory Commission.
2. Members, Kerala State Electricity Regulatory Commission (2).
3. Chairman and Managing Director, Kerala State Electricity Board Limited.
4. Director (Distribution & Generation-Electrical), KSEBL.
5. Director (Transmission & System Operation), KSEBL.
6. Director (Generation-Civil), KSEBL.
7. Independent Director, KSEBL.
8. Secretary, Thrissur Corporation, Thrissur.
9. Finance Advisor and Chief Accounts Officer, Cochin Port Trust, Kochi.
10. Chief Executive Officer, Technopark, Trivandrum.
11. Executive Officer, M/s.Kanan Devan Hills Plantations Co. Pvt. Ltd., KDHPCL House, Munnar.
12. Chief Executive Officer, KINESCO Power Utilities Ltd., Kakkanad, Kochi.
13. Managing Director, Rubber Park India (P) Ltd., Valayanchirangara, Ernakulam.

14. Development Commissioner, Cochin Special Economic Zone Authority (CSEZA), Kakkanad, Kochi.
15. Chief Executive Officer, Infopark, Kusumagiri P.O., Kakkanad, Kochi.
16. Chief Executive Officer, Smart City Kochi Infrastructure, Bhramapuram P.O., Kochi.
17. Chief Executive Officer, Kerala State IT Infrastructure Ltd.(KSITIL), Technopark Campus, Trivandrum.
18. Director, Energy Management Centre.
19. Director, ANERT.
20. Chief Electrical Inspector, Government of Kerala.
21. General Manager, NTPC Ltd., Kayamkulam.
22. Chief Manager, Power Grid Corporation of India Ltd., 400 kV Substation, Pallipuram P.O., Thiruvananthapuram.

8. LICENSEES

The Kerala State Electricity Board Ltd. continued to function as the State Transmission Utility and as distribution licensee as per Section 14 of the Electricity Act, 2003. In addition to Kerala State Electricity Board Ltd, the following are the distribution licensees in the State:-

- (i) Thrissur Corporation Electricity Department, Thrissur (TCED)
- (ii) Kanan Devan Hills Plantations Company Private Limited (KDHPCL), Munnar
- (iii) Technopark, Kazhakuttam, Thiruvananthapuram
- (iv) Cochin Special Economic Zone Authority (CSEZA), Kakkanad, Kochi
- (v) KINESCO Power Utilities Private Limited (KPUPL), Kakkanad, Kochi
- (vi) Rubber Park India Private Limited (RPIL), Valayanchirangara, Ernakulam
- (vii) Cochin Port Trust, Willingdon Island, Kochi
- (viii) Infopark, Kakkanad, Kochi
- (ix) Smart City Kochi Infrastructure Pvt Ltd, Bhramapuram P.O., Kochi.

9. PROCEEDINGS OF THE COMMISSION

The details of the public hearings and other proceedings of the Commission held during the year 2020-21 are furnished in **Annexure I**.

10. REGULATIONS ISSUED BY THE COMMISSION

During this period, the Commission issued the following Regulation after following the procedure of prepublication, public hearing, public consultation etc;

KSERC (CGRF & Ombudsman) Amendment Regulations, 2020 dated 18th June 2020 and published in Kerala Government Gazette No.1502 dated 19th June 2020.

11. മലയാളത്തിലേക്ക് വിവർത്തനം ചെയ്യപ്പെട്ട റഗുലേഷനുകൾ സംബന്ധിച്ച വിവരം.
 - 1) കേരള സംസ്ഥാന വൈദ്യുതി റഗുലേറ്ററി കമ്മീഷൻ (കൺസൾട്ടന്റുമാരുടെ നിയമനം) റഗുലേഷൻസ്, 2015
 - 2) കേരള സംസ്ഥാന വൈദ്യുതി റഗുലേറ്ററി കമ്മീഷൻ നിയമ ചട്ടങ്ങൾ, 2013.
 - 3) കേരള സംസ്ഥാന വൈദ്യുതി റഗുലേറ്ററി കമ്മീഷൻ നിയമ (ഭേദഗതി) ചട്ടങ്ങൾ, 2014.

12. Abstract of disposal of petitions received by the Commission during the year 2020-21.

Particulars	No. of petitions
Petitions pending as on 01.04.2020	33
Petitions pending due to court cases as on 01.04.2020.	7
Petitions received during 2020-21	94
Petitions disposed of during 2020-21	87
Petitions pending due to court cases as on 31.03.2021	12
Petitions pending as on 31.03.2021 excluding petitions pending due to court cases.	35
Total Number of Hearings conducted	111
Total Number of Orders issued Daily Orders issued – 51 Interim Orders – 5 Final Orders - 87	143

13. IMPORTANT ORDERS ISSUED BY THE COMMISSION

- 1) **OP.No.02/2020 - Petition filed by M/s. TCED under Section 61, 62, 86 and 181 of the Electricity Act, 2003 for revoking the Power factor penalty charged on bulk supply licensee Thrissur Corporation Electricity Department.- Order dated 23.04.2020.**

M/s Thrissur Corporation Electricity Department (M/s TCED), on 12.12.2019 filed a petition before the Commission with following prayer.

“Pass appropriate Orders to waive the power factor penalty as the Commission may deem fit and proper, for TCED as Local Self Government Body and small licensee”.

The Commission admitted the petition and conducted hearing on 06-03-2020 and issued the following Orders:

- “1) M/s TCED is hereby directed to maintain the power factor at 0.95. They shall also provide adequate reactive power compensation to avoid dependence on reactive power support from the Grid.
- 2) The power factor penalty imposed by M/s KSEB Ltd, for non-maintenance of this power factor is upheld and M/s TCED shall pay M/s KSEB Ltd. the penalty forthwith. M/s KSEB Ltd. can also impose power factor penalty on M/s TCED for such periods during which M/s TCED do not maintain the power factor at 0.95, at the penalty rates approved by the Commission from time to time.

3) *The Commission hereby once again directs M/s TCED to sign the PPA with M/s KSEB Ltd for the purchase of power, within three months from the date of this Order. Non-compliance to this Order shall lead to Suo-motu proceedings against M/s TCED as per the provisions of the Electricity Act, 2003. ”*

2) OP No.01/2020 – Petition filed by Thrissur Corporation Electricity Department seeking approval for single point supply and sharing of electricity charges to M/s Vadakke Madham Brahaswam - Order dated 24.04.2020.

M/s Thrissur Corporation Electricity Department (M/s TCED), on 10.12.2019 filed a petition before the Commission to provide single point supply to M/s. Vadakke Madham Brahaswam and to share electricity charges among the beneficiaries.

The Commission vide the Order dated 24.04.2020, decided on the subject petition and ordered as follows:

“(1) As per the Regulation 56 of the Supply Code, 2014, the licensee TCED may provide single point supply to the developer M/s. Vadakke Madham Brahaswam as per Regulation 56 of the Supply Code, 2014 as detailed under paragraph-15 above.

(2) Supply to the individual beneficiaries of the developer shall be provided at LT voltage levels, strictly complying the Regulation 11 of the Supply Code, 2014, as detailed under paragraph-18 above.

(3) The developer shall collect electricity charge from the individual beneficiaries at the “retail tariff” determined by the Commission from to time, based on the purpose of usage, as detailed under paragraph-21 above.

(4) The Single Point Tariff approved for the developer M/s. Vadakke Madham Brahaswam is given below.

<i>Demand charge (Rs/kVA/month)</i>	<i>450</i>
<i>Energy charge (Rs/unit)</i>	<i>7.9</i>

The single point tariff approved is applicable for a period of one year from the date of this Order.

(5) Within one month after completion of one year from the date of this Order, the licensee shall, file a separate petition with complete details of the individual beneficiaries for re-determine the single point tariff, for the periods beyond one year from date of this Order, as explained under paragraph 24 above.

(6) Electricity duty shall also be collected by the developer from each beneficiary along with the electricity charges at the rates specified in the Kerala Electricity Duty Act 1963 and the same shall be remitted to M/s. TCED latest by 10th of the succeeding month.”

3) Suo motu proceedings in the Matter of Generation Based Incentive (GBI) for Off Grid Captive Solar Power Plants - Order dated 24.04.2020 in the Review Petition filed by KSEB Ltd.

KSEB Ltd, on 26.12.2019, filed a review petition before the Commission against the Order of the Commission dated 11.11.2019 on ‘extending the validity of the Order of the Commission dated 30.09.2014’ for a further period of 2 years from 01.10.2019.

The Commission vide the Order dated 24.04.2020, decided on the subject petition as follows:

“(1) Admit the petition filed by KSEB Ltd.

(2) KSEB Ltd shall, within two months from the date of this Order, submit detailed proposal on providing Generation Based Incentive (GBI) for Off Grid Captive Solar Power Plants with effect from 01.10.2019, as per the paragraph 9 above.

(3) Till the Commission take a decision on the review petition filed by KSEB Ltd, the Commission ordered to defer the implementation of the Order of the Commission dated 11.11.2019.”

4) Common Order dated 24.04.2020 in OP.No.58/2019, in the matter of seeking approval of Power Purchase Agreement with KSEBL for 16 MW Wind Power Project at Kanjikode filed by M/s INOX Renewables Limited and OP.No.58A/2019 filed by M/s D J Malpani in terms of the Commission’s Order dated 03.10.2018 in Petition No. 8 of 2017.

M/s Damodar Jagannath Malpani (M/s D.J Malpani), on 05.04.2019, filed a petition before the Commission for the approval of the Power Purchase Agreement (PPA) to be signed with KSEB Ltd for the sale of electricity from the 16 MW WEG commissioned at the Kinfra Textile Park at Palakkad. The Commission admitted the petition as OP.No.58A/2019.

Subsequently as per the direction of the Commission, M/s INOX Renewables Ltd, on 10.07.2019, filed a petition before the Commission for the approval of the PPA to be signed with KSEB Ltd for the sale of Electricity from the 16 MW WEG commissioned at the KINFRA Textile Park, at Palakkad.

The Commission vide the Order dated 24.04.2020 decided on the matter as follows .

“(1) The Power of Attorney dated 7th March 2019, given by M/s INOX Renewables Ltd to M/s Damodar Jagannath Malpani, shall be registered as per the Registration Act. 1908.

(2) M/s INOX Renewables Ltd, M/s Damodar Jagannath Malpani and KSEB Ltd, shall enter into a Tripartite Power Purchase Agreement, specifying the role and responsibilities of each entity, as discussed (but not limited to) under paragraph-17 of this Order, for the purchase of the electricity generated from the 16 MW WEG at Kanjikode, Palakkad.

(3) The Tripartite Power Purchase Agreement shall be signed for a period of 25 years from the date of Commercial Operation Date (COD) of the project.

(4) The initialed Tripartite Power Purchase Agreement shall be submitted before the Commission for approval, as per the provisions of the KSERC (Conduct of Business) Regulations,2003 and KSERC (Terms and Conditions of Determination of Tariff) Regulations, 2018.

(5) The petition filed by M/s D.J Malpani dated 05.04.2019 in OP No. 58A/2019, and the petition filed by M/s INOX dated 10.07.2019 in OP No.58/2019 stand disposed off as above.”

5) OANo.30/2019 - Determination of Compensatory Tariff for rehabilitation of Iruttukanam Small Hydro Power Project Stage I (2 X 1.5) MW and Stage II (1 X 1.5) MW destroyed in the MahaPralayam on the 9th August and 14th August 2018 - Order dated 24.04.2020.

M/s. Viyyat Power Pvt Limited, filed a petition on 17.09.2019 for Compensatory Tariff for rehabilitation of Iruttukanam Small Hydro Power Project Stage I (2 X 1.5) MW and Stage II (1 X 1.5) MW destroyed in the Maha Pralayam on the 9th August and 14th August 2018 with following prayers.

“ Considering the fact that the Petitioner has rehabilitated the power project Stage I & II against heavy odds in a record time of 322 days after the disaster with almost all new equipments including new generators by spending an additional investment of Rs. 9,69,34,511.80 over and above the insurance cover benefit of Rs. 8.00 Crore, the petitioner humbly prays for the following.

- (i) The Hon’ble Commission may be pleased to pass on Order granting an additional “Compensatory Tariff” for Stage I and Stage II, commensurate with the new investment made by the petitioner as done by the Hon’ble CERC in Order dated 21.02.2014 in the case of Petition No. 155/MP/2012 of Adani Power Limited Vs. Uttar Haryana Bijli Vidyut Nigam Limited and Others.*
- (ii) Any other Order the Hon’ble Commission may be pleased to deem fit considering the fact that the tariff of Iruttukanam Stage I and Stage II of the Petitioner as existing before the disaster, are much below the APPC of KSEBL and if the Petitioner had abandoned the project after the disaster, KSEBL has to purchase the same measure of power from elsewhere at the rate above APPC”.*

The Commission vide the Order dated 24.04.2020 decided on the matter as follows:

- “(1)The request of the petitioner to grant additional compensatory tariff for Iruttukkanam Stage-I and Stage-II is rejected.*
- (2) The petitioner may, approach the State Government, who allotted the project to the Company, to extend the BOOT period if the petitioner so desires.”*

6) Suo motu proceedings in the matter of Sharing the transmission and distribution assets of KSEB Ltd by a Joint Venture Company namely, Kerala Fibre Optic Network (KFON) project - Order dated 27.04.2020.

KSEB Ltd, vide the letter dated 10.07.2018 intimated the Commission, as per Section-41 and Section-51 of the Electricity Act, 2003, regarding the sharing of the transmission and distribution assets of KSEB Ltd by a Joint Venture Company namely, KFON project (Kerala Fibre Optic Network project).

The Commission, vide the Order dated 27.04.2020, issued the following direction to KSEB Ltd for compliance.

- “(i) As per the Section 14, 16, 17, 41 and 51 of the Electricity Act, 2003 along with the Licensing Regulations, 2006, KSEB Ltd has to get formal approval from the Commission, for sharing the transmission and distribution assets of KSEB Ltd by the Joint Venture Company KFON.*
- (ii) KSEB Ltd shall file a proper petition for approval for sharing the transmission and distribution assets of it, by the Joint Venture Company KFON, along with the details as specified under paragraph-4 of this Order, with all supporting documents.*
- (iii) The parties to the JV Company KFON, the Kerala State IT Infrastructure Ltd and IT department in Government of Kerala, shall be impleaded as party to the petition.*
- (iv) KSEB Ltd shall, enter into JV agreement for KFON, by sharing the transmission and distribution assets of KSEB Ltd, only after getting the formal approval of the Commission”.*

7) OA No.02/2020 - Proposal to recover the additional cost incurred during the period July 2019 to September 2019 over approved level on Generation and Power Purchase due to variation in cost of fuel, from all consumers including Bulk Consumers and other Licensees - Order dated 27.04.2020.

KSEB Ltd on 19.11.2019 filed a petition before the Commission for the approval of the fuel surcharge for the period from July 2019 to September 2019, with the following prayers.

- (a) The additional financial liability incurred by KSEBL, amounting to Rs 57.98 Cr., due to the variation in power purchase cost resulting from the variation in cost of fuel for the period from July to September 2019 for the procurement/ generation of energy from various thermal sources as per Regulation 86 of KSERC Tariff Regulations as detailed in Annexure II & III to this petition may kindly be approved.*
- (b) This approved additional cost may kindly be allowed to be recovered from consumers including bulk consumers and other licensees as fuel surcharge, as per the Regulation 86 of KSERC Tariff Regulations, 2018, from December 2019 onwards, @ 10 paise per unit.*

The Commission vide the Order dated 27.04.2020 decided on the matter as follows:

- “(1) The amount admissible for recovery as fuel surcharge for the second quarter of financial year 2019-20 (July 2019 to September 2019) is approved at Rs 52.68 crore.*
- (2) The recovery of the fuel surcharge approved as above is deferred for the time being due to the reasons cited under paragraph 24 above.”*

8) OP.No.08/2020 - Approval of Power Sale Agreement (PSA) for 100MW wind power with the Solar Energy Corporation of India Limited on long-term Basis - Order dated 28.04.2020.

KSEB Ltd, on 12.11.2019, filed a petition before the Commission for the approval of Power Sale Agreement (PSA) for 100MW Wind Power with Solar Energy Corporation of India Limited (SECI) on long term basis for 25 years.

The Commission vide the Order dated 28.04.2020 disposed the petition with following directions to KSEB Ltd.

- “(1) If it considers expedient, sign a Letter of Indent (LOI) with SECI indicating the quantity, rate and the date of commencement of the supply along with the period of 25 years supply.*
- (2) File a proper petition for approval of the PSA after incorporating the remarks of the Commission on the PSA.*
- (3) Make available in the petition a copy of the PPA signed between SECI and WPD.”*

9) OP No.04/2020 – Petition seeking approval for inviting bid for implementation of 60 MWp grid connected solar PV Rooftop systems in Domestic/ Government/ Industrial/ Commercial/ institutional premises etc in the State under “SOURA” scheme by KSEB Ltd through Developers under Tariff basis (RESCO mode) with modifications in the approved bid documents - Order dated 28.04.2020.

KSEB Ltd, has filed a petition on 03.01.2019 before the Commission with following prayers;

- (1) Grant of consent for tender process for inviting tender for 60MWp solar rooftop systems with modifications in the approved bid documents under Tariff basis/RESCO to meet its RPO obligations.*
- (2) Permission to file separate petition for specific approvals for adoption of tariff upon conclusion of tender process.*
- (3) Allowing KSEBL to avail credit of solar energy generated under SOURA Scheme towards fulfilment of its RPO target compliance.*
- (4) Allowing any further addition / alteration/ modification of the petition as may become necessary.*

The Commission vide the Order dated 28.04.2020 decided on the matter as follows:

- “(1) The first prayer of the petitioner is to grant consent for tender process for inviting tender for 60MWp solar roof top systems with modifications in the approved bidding documents.
The Commission hereby Orders that, KSEB Ltd may proceed with the tender process for implementation of 60 MWp grid connected solar PV Rooftop systems in domestic/Government/ Industrial/commercial/ institutional premises etc in the State under “SOURA” scheme, strictly complying the decisions of the Commission as given under paragraphs 11 to 19 of this Order.*
- (2) The Commission herein reiterates that the relaxation granted applies only to KSEB Ltd proposal in this Order and is not a general exemption Order. This Order cannot be quoted as a precedent for seeking any further relaxation and such petition, if any filed shall be decided as per its merits.*

- (3) *The prayer of the petitioner is to grant permission to file separate petition for specific approvals for adoption of tariff upon conclusion of tender process is accepted.*

As specified in the para-20 of this Order, the Commission hereby directs that, immediately after finalizing the bids, KSEB Ltd shall file a separate petitions for the adoption of tariff along with the Approval of the PPA.

- (4) *The third prayer of the petitioner is to allow KSEB Ltd to avail credit of solar energy generated under SOURA Scheme towards fulfilment of its RPO target compliance.*

The Commission hereby permits KSEB Ltd to credit the solar energy generated under SOURA scheme towards its RPO target compliance.

- (5) *The fourth prayer of the petitioner to allow KSEB Ltd to make further addition/ alteration/ modifications of the petition as may become necessary is not agreed to. The Commission hereby clarify that, KSEB Ltd is not permitted to make additions/ alterations/ modifications in the Commission approved bidding documents without the prior approval of the Commission.”*

10) Review Petition filed by Southern Railway against Order dated 12.12.2019 in OP No 31/2019 in the matter of direction to Kerala State Electricity Board Limited to issue No Objection Certificate for availing open access - Order dated 26.06.2020 vide No:183/D(T)/2020/KSERC.

M/s Southern Railway, filed a review petition on 31.01.2020 against Order of the Commission dated 12.12.2019 in OP No 31/2019 in the matter of ‘No Objection Certificate’ for open access to Railways, with the following prayers:

- (i) *Admit the instant Review Petition;*
- (ii) *Direct the Respondents to allow open access facility to the petitioner on payment of the charges applicable to the open access customer (Deemed Distribution Licensee) and not as an open access consumer.*
- (iii) *Direct that the Petitioner as a Open Access Customer is not liable to pay cross subsidy charge and / or additional surcharge being a deemed Distribution Licensee.*
- (iv) *Condone any inadvertent omissions/errors/shortcomings and permit Southern Railway to add/change/modify/alter this filing and make further submissions as may be required at a future date.*
- (v) *Pass such further Order or Orders as this Hon’ble Commission may deem just and proper in the circumstances of the case.*

The Commission vide the Order dated 26.06.2020, rejected the petition as not maintainable.

11) Order dated 30.06.2020 vide No:761/D(T)/2020/KSERC to recall the Order of the Commission dated 11.03.2020 in OP No. 03/2020 and provide the waiver proposed to ANERT empaneled contractors in the Technical eligibility criteria and Financial eligibility criteria for submitting the bids.

Mr. Terance Alex, filed a petition on 05.06.2020 to recall the Order of the Commission dated 11.03.2020 in OP No. 03/2020 and to provide the waiver proposed to the ANERT empanelled contractors in the Technical eligibility criteria and Financial eligibility criteria for participating in the bids invited by KSEB Ltd.

The Commission vide the Order dated 30.06.2020, rejected the petition as not maintainable at the admission stage itself.

12) Order dated 30.06.2020 in OP.No.14/2020, filed by BSNL in the matter of Single Point Supply and sharing of Electricity Charges as per Clause No.56 of Kerala Electricity Supply Code 2014.

M/s Bharat Sanchar Nigam Ltd (M/s.BSNL), on 16.03.2020 filed a petition before the Commission seeking following reliefs.

- (1) The Petitioner is the HT consumer for the buildings in Kerala as referred in Annexure- A. The Petitioner is pleading for permission to provide Sub-meter for individual tenants in BSNL buildings listed in Annexure- A, for monitoring the energy consumption for each tenant but not for resale of energy.*
- (2) The Honorable Commission may be pleased to direct the Respondents as the provision of above Sub-meter shall not be treated as power theft or resale of energy.*

The Commission vide the Order dated 30.06.2020 decided on the matter with following option to BSNL to provide separate connection to the beneficiaries in their buildings.

1. BSNL may take supply from the distribution licensee of the area, availing separate connection for each beneficiary and for common services as per the provisions of the EA, 2003 and Supply Code, 2014, at the applicable tariff based on the purpose of usage.
2. BSNL may take single point supply from the distribution licensee concerned as per the Regulation 56 of the Supply Code, 2014 and share the electricity charges, after observing due procedure and making required arrangements.

The Commission disposed the petition with the direction that, BSNL may take an appropriate decisions among the options - 1 and option – 2, and approach the concerned licensees to get electricity supply to the tenants to whom the petitioner propose to lease/ rent the vacant spaces in their multi-storied buildings with HT connections.

13) Order dated 17.07.2020 in OP.No.12/2020, in the matter of seeking permission for providing two 11kV feeders to M/s Cochin Shipyard Ltd. at their ISRF site at W. Island.

M/s Cochin Port Trust, has filed a petition on 24.02.2020 seeking permission for providing two 11kV feeders to M/s Cochin Shipyard Ltd. at their ISRF site at W. Island with following prayer.

“Hon’ble Commission may kindly issue necessary Orders permitting to provide 2 independent HT power supply to the premise of the consumer M/s Cochin Shipyard Ltd Kochi at the premise International Ship Repair Facility at W. Island”.

The Commission vide the Order dated 17.07.2020 rejected the petition.

14) Order dated 29.07.2020 in OP.No.15/2020, under Regulation 77(3) (f) of the KSERC (Terms and Condition for Determination of Tariff) Regulation- 2018, seeking approval for entering into swap transactions for managing the unexpected energy crisis during March 2020 due to the forced outage of 2 units at Idukki Hydel station.

KSEB Ltd, has filed a petition seeking approval for entering into swap transactions for managing the unexpected energy crisis during March 2020 due to the forced outage of 2 units at Idukki hydel station (130 X 2 =260MW).

The Commission vide the Order dated 29.07.2020, decided on the matter as following.

“(1) Approves the swap transaction with BSES Rajadhani Power Ltd (BRPL) through the trader Manikaran Power Ltd, as below:

Supply to KSEB Ltd from MPL-BRPL			Return from KSEB Ltd to MPL-BRPL			
Period	Duration (hrs)	MW	Period	Duration hrs	Return Percentage	Trading margin
01-03-2020 to 31-03-2020	RTC	50	01-07-2020 to 31-08-2020	04.00 to18.00	104% (in a uniformly distributed pattern)	0.86 paise/kwh
	14.00to24.00	100				

- (1) *Henceforth, KSEB Ltd shall seek approvals for ‘additional short-term power procurement’ strictly as per the Regulation 77 of the Tariff Regulations, 2018.*
- (2) *KSEBLtd shall strictly follow the evaluation criteria notified in the Notice Inviting Tender. Further any relaxation or approval given by the Commission in a specific petition cannot be considered and treated as a universal / generic approval for all future tenders.”*

- 15) **Common Order dated 14.08.2020 in RP.No.02/2020 & RP.No.04/2020 in the matter of Review Petition seeking review of the Order dated 14-2-2020 in OA 29/2019 in the matter of recovering the additional cost incurred during the period April 2019 to June 2019 over approved level on Generation and Power Purchase due to variation in cost of fuel, from all consumers including Bulk Consumers and other Licensees and RP.No.04/2020, in the matter of Review Petition seeking review of the Order dated 27-4-2020 in OA 02/2020 in the matter of recovering the additional cost incurred during the period Jul-2019 to Sep-2019 over approved level on Generation and Power Purchase due to variation in cost of fuel, from all consumers including Bulk Consumers and other Licensees.**

RP.No.02/2020

KSEB Ltd, filed a review petition on 30.03.2020 against the Order of the Commission dated 14.2.2020 in OA 29/2019 with the following prayers.

- (1) *To review the Order dated 14-02-2020 in Petition No. OA 29/2019 and to allow passing on the additional fuel cost incurred against the Power Supply Agreements (PSAs) entered into with Jindal India Thermal Power Ltd, Jindal Power Ltd and Jhabua Power Ltd under Bid 2 of Design, Build, Finance, Own and Operate (DBFOO).*
- (2) *To issue appropriate directions on the drawal of power contracted against these PSAs, if Hon'ble Commission is not inclined to pass on the liabilities of 350MW PSAs executed on DBFOO basis under Bid 2."*

RP.No.04/2020

KSEB Ltd, filed a review petition on 04.06.2020 against the Order of the Commission dated 27.04.2020 in OA 02/2020 with the following prayers

- (1) *To review the Order dated 27-4-2020 in Petition No. OA 2/2020 and allow passing on the additional fuel cost incurred against the PSAs with Jindal India Thermal Power Ltd, Jindal Power Ltd and Jhabua Power Ltd under Bid 2 of DBFOO.*
- (2) *To issue appropriate directions on the drawal of power contracted against these PSAs, if the Commission is not inclined to pass on the liabilities of 350MW PSAs executed on DBOO basis under Bid 2.*

The Commission vide the Common Order dated 14.08.2020, decided on the matter as follows.

- "(1) The first prayer of the petition RP No. 02/2020 'to review the Order dated 14.02.2020 in Petition OA No. 29/2019 and allow passing on the additional fuel cost incurred against PSAs with Jindal India Thermal Power Ltd, Jindal Power Ltd and Jhabua Power Ltd under Bid 2 of DBFOO' is hereby rejected.*

- (2) *The first prayer of the petition RP No. 04/2020 'to review the Order dated 27.04.2020 in Petition OA No. 02/2020 and allow passing on the additional fuel cost incurred against PSAs with Jindal India Thermal Power Ltd, Jindal Power Ltd and Jhabua Power Ltd under Bid 2 of DBFOO' is hereby rejected.*
- (3) *Second prayer of both the Review Petitions RP No. 02/2020 and RP No. 04/2020 is 'to "(2) To issue appropriate directions on the drawal of power contracted against these PSAs if Hon'ble Commission is not inclined to pass on the liabilities of 350MW PSAs executed on DBFOO basis under Bid 2." This is a new issue raised by KSEB Ltd, which was neither included nor deliberated in the original petitions OA 29/209 and OA No. 02/2020. Hence this prayer cannot be decided through Review Petitions filed by KSEB Ltd and the prayer is rejected.'*

16) Order dated 25.08.2020 in OP.No.09/2020, in the matter for granting approval for the modification in the Standard bid documents for the procurement of 200 MW from solar PV plants through competitive bidding route on all India basis.

KSEB Ltd, on 14.10.2019 filed a petition before the Commission for granting approval for the modification in the Standard Bid documents for the procurement of 200 MW power from solar PV plants through competitive bidding route on all India basis.

The Commission vide the Order dated 25.08.2020, decided on the matter as follows.

- "(1) Grant approval to KSEB Ltd for inviting bids on reverse e-bidding for procuring 200 MW solar power from solar PV plants through competitive bidding route on all India basis, with a preference of 10% requisitioned quantum to plants to be setup within the State of Kerala.*
- (2) Approve the modified bidding documents RfS and draft PPA submitted by KSEB Ltd on 30.07.2020, after incorporating the modifications detailed under paragraph 19 above.*
- (3) A copy of the tendered documents including RfS and PPA be submitted to the Commission within 30 days of publishing of tender.*
- (4) Immediately after the completion of the bid process, KSEB Ltd shall submit a petition complete in all respects for the adoption of tariff."*

17) Order dated 03.09.2020 in RP.No.03/2020, in the matter of Review Petition against Order dated 23.4.2020 in OP No 02/2020.

M/s Thrissur Corporation Electricity Department (M/s TCED), on 08.06.2020 filed a review petition before the Commission, to review the Order of the Commission dated 23.04.2020 in OP No 02/2020 and pass appropriate Orders to waive the power factor penalty for TCED as Local Self Government Body and a small licensee.

The Commission vide the Order dated 03.09.2020, decided on the matter as follows.

- “(1) Reject the Review Petition RP 03/2020 filed by TCED against the Order dated 23.04.2020 in OP No.02/2020 due to the reasons cited in the preceding paragraphs.
- (2) M/s TCED shall comply with the Order of the Commission dated 23.04.2020 in OP No. 02/2020 within 60 days of the issue of this Order and report compliance to the Commission. Any refusal to comply with this Order shall be considered as a serious violation of TCED’s License conditions and this Commission shall be constrained to initiate appropriate action against TCED under Section 142 of the Electricity Act, 2003.”

18) Order dated 04.09.2020 in OP.No.16/2020, in the matter of seeking approval of Capital Investment Plan for Financial Year 2012-13 to 2016-17 of the Distribution Licensee TECHNOPARK.

M/s Technopark, has filed a petition before the Commission on 10.02.2020 seeking approval of Capital Investment Plan for Financial Year 2012-13 to 2016-17 of the Distribution Licensee TECHNOPARK. with following prayers.

- *Approve the capital investment made in the Financial Years from 2012-13 to 2016-17 mentioned above for a total amount of Rs 37.05 Cr as submitted in this petition shown above and also to,*
- *Approve the capital investment for the 200kW solar plant by reviewing earlier Order.*

The Commission vide the Order dated 04.09.2020, issued the following Orders

- “(1) *Approve the Capital Investment made by M/s Technopark for the financial years 2012-13 to 2016-17, for electricity distribution business.*
- (2) *Technopark, shall submit necessary proposal to the IT Department & Power Department in Government of Kerala to share/use the redundant assets at Technopark Kollam created with State Government grants, by the incumbent licensee KSEB Ltd for the benefits of the State. A report on the progress on this matter shall be submitted to the Commission as per paragraph 16 of this Order.*
- (3) *Approve the installation of the 200 kWp Roof Top Solar Power Plant, at a total cost of Rs 1.1493 crore in the FY 2017-18 by using Government grants, subject to the condition that, ‘depreciation, return on equity and interest on loan’ shall not claimed for this investment.*
- (4) *M/s Technopark shall produce documentary evidence within three months from the date of this Order to approve the claims on service tax and consultancy charges.”*

19) Order dated 14.09.2020 in OP.No.56/2019, in the matter of seeking approval of the draft Power Purchase Agreement (PPA) duly initialled by both petitioner and KSEB Ltd for 50 KW (25 KW x 2) Deviar Micro Hydro Electric Project at own land in Neriamangalam, Idukki District.

M/s Hydro Power, Kothamangalam, has filed a petition on 16.07.2019 for approval of draft Power Purchase Agreement (PPA) duly initialled by the petitioner and the Respondent, KSEB Ltd for 50 kW (25 kW x 2) Deviar Micro Hydro Electric Power Project (DMHEP) commissioned by the petitioner in his own land in Neriamangalam, Idukki district, Kerala.

The Commission vide the Order dated 14.09.2020 issued the following Orders.

- “(1) Since the petitioner has not submitted the authenticated documents to the Commission, the prayer to approve the draft PPA is not agreed to due to the reasons explained under paragraphs 20 to 24 above, till such time the project specific tariff is determined and incorporated in the PPA.*
- (2) The petitioner is hereby directed to submit complete details of the capital cost of the project along with authenticated supporting documents within the time limit specified under paragraph 24 above. The petitioner is also permitted to file a fresh petition for determination of project specific tariff and approval of the Draft PPA as per the provisions of the KSEB (Conduct of Business) Regulations, 2003, but not later than 31.03.2022. As a special case the petitioner is exempted from remitting the petition fee for filing this petition for determination of tariff as per this Order of the Commission.*
- (3) The request of the petitioner to approve an interim tariff for claiming payments for the energy injected into the grid since the date of connection i.e. 05.07.2016 is approved subject to the following:*
- (i) Till such time the project specific tariff is determined, KSEB Ltd shall pay Hydropower an interim tariff at the rate of the average cost of power purchase from sources other than from KSEB Ltd.'s own plants as applicable for each of the Financial Years.*
 - (ii) KSEB shall, within two weeks from the date of this Order, communicate the APPC as explained in Para-26 above to enable the petitioner to claim the interim payments for the energy injected since 05.07.2016.*
 - (iii) Hydropower shall within one month of the date of this Order and before receiving the first interim payment execute an undertaking that any overpayment detected at a later stage shall be deducted from the payments due to Hydropower.*
 - (iv) Similarly, any payment due to Hydropower on account of this interim tariff being lower than the final tariff fixed shall be paid by KSEB Ltd based on an invoice raised by Hydropower.*
 - (v) Once the invoice is raised by the petitioner, KSEB Ltd shall make the payments within one month from the date of the invoice raised by the petitioner. If KSEB Ltd make delay the payments, it shall pay interest @1.25% per month for the delay from the due date, i.e., delay counted from one month after the date of invoice.*

(vi) Petitioner is not eligible for interest for the delay in raising the invoice. Petitioner is also not eligible for the interest for the delay in claiming the interim tariff for the energy injected into the grid since 05.07.2016 till date, for want of approved tariff.

(vii) Petitioner is allowed to claim interim tariff only for the energy injected into the grid till 31.03.2022. Within the said period, i.e., by 31.03.2022, the petitioner shall get the approval of the project specific tariff of the project by filing proper petition as detailed under paragraph 24 above.”

20) Order dated 15.09.2020 in OP.No.10/2020, in the matter of “seeking for amending certain clauses in the HT&EHT service connection agreement of KMRL etc”.

M/s Kochi Metro Rail Corporation Ltd, has filed a petition on 05.03.2020 before the Commission for amending certain clauses in the HT&EHT service connection agreement of KMRL.

The Commission vide the Order dated 15.09.2020, issued the following Orders..

“(1) First prayer of the petitioner to amend the Clause-17 of the ‘EHT Agreement No. 03/2017-18 dated 31.10.2017 and EHT Agreement No.3/2019 dated 24.07.2019’, and also the Clause-15 of the HT Agreement No. ECE/HT-11/17-18 dated 18.05.2017, is approved.

(2) Second prayer of the petitioner to extend the method of billing for commercial load issued by the Commission in its Order dated 12.07.2017 in RP No. 04/2017, is also approved.

(3) Third prayer of the petitioner is approved as below.

(i) KMRL is allowed to retain the 33 kV supply at Kaloor as standby, for meeting the load during emergency conditions of failure of power supply from both the existing 110 kV substations of KMRL at Muttom and Thykoodam. KMRL may reduce the contract demand of the existing 33 kV supply at Kaloor from 1 MVA to 100 kVA, with the existing CT.

(ii) KSEB Ltd shall levy the applicable charges for maintaining 33kV supply at Kaloor as standby, for the reduced contract demand of 100kVA.

(iii) KMRL shall give an undertaking to KSEB Ltd that the 33 kV supply at Kaloor shall be kept as standby and shall be used only during emergency conditions of failure of power supply from both the existing 110 kV substations of KMRL at Muttom and Thykoodam. In case of non-compliance to this undertaking, KSEB Ltd is at liberty to approach the Commission for appropriate redressal. ”

21) Order dated 29.09.2020 in OP.No.27/2020, in the matter of Seeking approval for extending the OTS-2019 upto 31.12.2020.

KSEB Ltd, filed a petition on 07.07.2020 seeking approval for extending the OTS-2019 approved vide Order dated 17.09.2019 in petition RP No.52/2019, up to 31.12.2020.

The Commission vide the Order dated 29.09.2020, decided on the matter as follows.

“(1) Approve the arrears settled under OTS-2019 till 27.02.2020 and the entire arrears settled through Vydyuthi Adalath conducted from 11.01.2020 to 27.02.2020.

(2) Request of KSEB Ltd to extend the period of implementation of the OTS 2019 till 31. 12.2020 is not agreed to. However, KSEB Ltd may, at its discretion, file a fresh petition for approval of the OTS Scheme as per the provisions of the Electricity Act, 2003 and Supply Code, 2014.”

22) Order dated 01.10.2020 in RP.No.06/2020, in the matter of seeking review of Suo-motu Order dated 11.11.2019 in the matter of Generation Based Incentive (GBI) for Off Grid Captive Solar Power Plant.

KSEB Ltd, filed a petition on 26.12.2019 before the Commission to review the Order of the Commission dated 11.11.2019 on ‘extending the validity of the Order of the Commission dated 30.09.2014’ for a further period of 2 years from 01.10.2019

The Commission vide the Order dated 01.10.2020, decided on the matter as follows.

“(1) Restore the implementation of the Order of the Commission dated 11.11.2019, extending the validity of the Order dated 30.09.2014 in the matter of providing Generation Based Incentive (GBI) for Off Grid Captive Solar Power Plants @Rs 1.00/unit for a further period of 2 years from 01.10.2019.

(2) KSEB Ltd shall provide GBI@Rs 1.00/unit to all eligible Off-Grid Captive Solar Power Plants for a period of 2 years from 01.10.2019.”

23) Order dated 15.10.2020 in RP.No.05/2020, in the matter of seeking review of the Order dated 28.4.2020 in OA No 30/2019 for determination of Compensatory Tariff for rehabilitation of Iruttukanam Small Hydro Power Project Stage I (2 X 1.5) MW and Stage II (1 X 1.5) MW destroyed in the MahaPralayam on the 9th August and 14th August 2018.

M/s Viyyat Power Private Ltd, filed a review petition on 15.06.2020 to review the Order of the Commission dated 24.04.2020 in Petition OA No. 30/2019.

The Commission vide the Order dated 15.10.2020 rejected the Review Petition.

24) File No. 1473/D(T)/KSERC/2020 Vide Order dated 06.10.2020 in the matter of Review Petition against the Order of the Commission dated 01.02.2018 in OP No.17 in the matter of approval of capital investment for the proposed 110 kV substation at Kottappuram, Thrissur.

M/s Thrissur Corporation Electricity Department (M/s TCED), has filed a review petition before the Commission on 25.08.2020 to review the Order of the Commission dated 01.02.2018 in OP No.11/2017 in the matter of approval of Capital investment of 110kV Substation of TCED.

The Commission vide the Order dated 06.10.2020 issued the following Orders.

“(1) Reject the Review Petition dated 25.08.2020 filed by M/s TCED against the Order dated 01.02.2018 in OP No. 11/2017 as not maintainable due to the reasons explained under paragraphs 7 and 8 above.

(2) M/s TCED shall comply with the directions in the Order dated 01.02.2018 in OP No. 11/2017 and shall not proceed with the proposed investment for establishing a 110 kV Substation at Kottappuram, Thrissur.”

- 25) Order dated 20.10.2020 in OP.No.11/2018, for granting ‘in principle’ approval in accordance with the provisions under Regulation 56 of the KSERC (Terms and Conditions of Tariff) Regulations, 2014, for the long term transmission plan, Transgrid 2.0, proposed to be executed in two phases during the period 2016- 21.**

KSEB Ltd., has filed a petition on 19.10.2016 for ‘in principle approval’ of the Long Term Transmission Plan, Transgrid 2.0, to be executed during the period 2016- 2021. The plan consisted of 87 Nos Transmission Projects with a total project cost outlay of Rs. 9425.37 Crores. KSEBL on 31.10.2018 filed the petition, ‘for the approval of ARR & ERC and Tariff proposal’ for the control period (2018-2022). As Part II of the said petition, KSEB Ltd included the Capital Investment proposed in SBU- Transmission of KSEB Ltd, including the Transgrid programme during the MYT period from 2018-19 to 2021-22.

The Commission vide Order dated 08.07.2019 in the matter of ARR, ERC and Tariff for the MYT period 2018-19 to 2021-22 has decided to examine the Capital Investment of KSEB Ltd in SBU-G,SBU-T& SBU-D separately.

In view of the above the Commission vide the Order dated 20.10.2020 ordered that, the petition filed by KSEB Ltd dated 19.10.2016, on petition OP No.11/2018 became infructuous and hence disposed off accordingly.

- 26) Order dated 22.10.2020 in OP.No.28/2020, in the matter of seeking interim Order for approval for procurement of 200 MW Solar Power from Inter State Transmission System Grid Connected Solar Photo Voltaic projects through NHPC Ltd. on long term basis.**

KSEB Ltd filed a petition on 29.09.2020 seeking interim Order for approval for procurement of 200 MW Solar Power from Inter State Transmission System Grid Connected Solar Photo Voltaic projects through NHPC Ltd. on long term basis with following prayers:

“to grant an Interim Order for approving the procurement of 200 MW solar power from Inter State Transmission System grid connected solar photo voltaic projects selected by NHPC through tariff based competitive bidding process of Ministry of

Power notified by Resolution No. 23/27/2017-R&R dated 03.08.2017 and its amendments, subject to final approval on the terms and conditions of the PSA”.

However, subsequently NHPC intimated KSEB Ltd their inability to proceed with the offer for supplying 200 MW solar power to KSEB Ltd. In view of the above, the Commission vide the Order dated 22.10.2020, Ordered as follows.

- “(1) As requested by KSEB Ltd, permits them to withdraw the petition OP No. 28/2020 dated 29.09.2020.*
- (2) Permit KSEB Ltd. to file fresh petition seeking approval for purchase of solar power from other sources as per the provisions of the Electricity Act, 2003 and adjust the petition fees paid for this petition against this future petition when filed.*
- (3) The callous attitude of NHPC officials shall be specifically brought to the notice of CMD, NHPC.”*

27) Interim Order dated 23.10.2020 in OP.No.26/2020, in the matter of seeking for the approval of the procurement of power by KSEB Ltd., from THDC India Ltd’s solar PV Project of 50MW capacity established at Kasargode District.

M/s THDC India Ltd, has filed a petition on 07.09.2020 before the Commission with following prayers.

- (1) Approve the procurement of power by KSEB Ltd., from THDC India Ltd., solar PV Project of 50MW Capacity being established in 200MW solar power park in Kasargode District in the State of Kerala.*
- (2) Pass any such further Order or Orders as this Hon’ble Commission deems just and proper in the circumstance of the case.*

The Commission vide the Interim Order dated 23.10.2020, decided on the matter as follows.

- “(1) M/s THDC shall amend the petition so as to include the determination of tariff of the electricity generated from the 50 MW solar plant developed by the petitioner at 200 MW Solar Park at Kasargode. KSEB Ltd. and SECI shall be impleaded as respondent, latest by 05.11.2020.*
- (2) Next hearing on the petition shall be held during second week of November-2020.”*

28) Interim Order dated 11.11.2020 in OP.No.29/2020 – Petition filed by M/s. Hindalco in the matter of petition under Section 86 of the Electricity Act, 2003 that the Petitioner’s newly installed 2 MW solar power plant at Kalamassery is a separate unit and do not interfere with the existing 1 MW plant.

M/s. Hindalco Industries Ltd (M/s Hindalco), has filed a petition before the Commission on 23.09.2020 with the following prayers.

- (a) *Pass an Order / direction/ clarification interalia, that the petitioner's newly installed 2 MW solar power plant at Kalamassery is a separate unit and do not interfere with the existing 1 MW plant.*
- (b) *Allow banking facility exclusively for the 2 MW solar power plant.*
- (c) *Pass any other Order / direction as it deems fit and appropriate in the facts and circumstances of the case.*

The Commission vide the Interim Order dated 11.11.2020, decided on the matter as follows.

- “(i) The petitioner may take steps to implead SLDC, ANERT and Electrical Inspector as respondents to the petition.*
- (ii) M/s Hindalco may submit a detailed report on the proposed interlocking facility, and also the procedure proposed for accounting of energy generated from both the 1 MW and 2 MW plants separately, energy availed from KSEB Ltd, energy import through open access etc.*
- (iii) Alternatively, installation of separate net meters for each of the solar units with physical separation of the lines may also be explored and a detailed report submitted”*

29) Order dated 03.12.2020 in OP.No.38/2020, in the matter of prior intimation regarding the matter of KSEBL taking the role of Special Purpose Vehicle for the execution of NILAAVU Scheme – a project of Government of Kerala to replace all conventional street lights with energy efficient LED lights with longer life expectancy for illuminating all roads and sub-roads of Grama Panchayats, Municipalities and Corporations across Kerala in a phased manner and seeking concurrence of Hon'ble Commission under Section 51 of Electricity Act 2003.

KSEB Ltd, filed a petition before the Commission on 24.11.2020 regarding KSEB Ltd taking up the role of Special Purpose Vehicle for the execution of NILAAVU Scheme – a project of Government of Kerala to replace all conventional street lights with energy efficient LED lights with longer life expectancy for illuminating all roads and sub-roads of Grama Panchayats, Municipalities and Corporations across Kerala in a phased manner and seeking concurrence of the Commission under Section 51 of Electricity Act 2003 with following prayers.

“KSEBL humbly prays before this Hon'ble Commission to consider the matter of prior intimation on KSEBL taking the role of SPV for the execution of NILAAVU Scheme included under Chief Minister's 12 point priority projects of Government of Kerala, targeting replacement of all conventional street lights with energy efficient LED lights with longer life expectancy for illuminating all roads and sub-roads of Grama Panchayats , Municipalities and Corporations across Kerala in a phased manner and accord concurrence for regulating the same in accordance with Regulation 83 of KSERC Terms and Conditions for Determination of Tariff Regulations,2018”.

The Commission vide the Order dated 03.12.2020 issued the following Orders:

“(1) The Commission hereby takes on record KSEB Ltd’s intimation regarding its role of Special Purpose Vehicle for carrying out the role and responsibilities as per the G.O dated 10.08.2020 for the implementation of the NILAAU scheme, targeting replacement of all conventional street lights with energy efficient LED lights with longer life expectancy for illuminating all roads and sub-roads of Grama Panchayats, Municipalities and Corporations across Kerala in a phased manner, subject to the conditions as detailed below;

(i) KSEB Ltd shall take the role of lead SPV for implementation of NILAAVU strictly as per the Section 51 of the Electricity Act, 2003 and Regulation 6 of the KSERC (Conditions of License for Existing Distribution Licensees), 2006.

(ii) KSEB Ltd shall maintain a separate account for the NILAAVU scheme, and account all the direct and indirect costs associated with the implementation of the NILAAVU scheme by utilizing its assets such as manpower, storage and transportation facilities.

(iii) The Commission shall regulate the income received by KSEB Ltd by taking the role of SPV in NILAAVU scheme, strictly as per the Regulations 83 of the KSERC (Terms and Conditions for Determination of Tariff) Regulations, 2018 and its amendments from time to time.

(iv) KSEB Ltd shall, within 3 months from the date of issue of this Order,

a) submit documents from Finance Department and KIIFB as mentioned in para 2 (ix) of this Order.

b) Government Order and decision of KIIFB regarding funding of the project

(2) KSEB Ltd shall, in the petition for Truing Up of accounts of the relevant years concerned, submit all the details including the direct and indirect costs, and also the revenue earned by utilizing its manpower, storage and transportation facility as per the Government Order dated 10.08.2020 for taking the role of SPV for the implementation of NILAAVU scheme.”

30) Order dated 11.12.2020 in OP.No.36/2020, in the matter of seeking Approval of Street light tariff and rate for providing service connection for the Sabarimala festival season during 2020-21.

KSEB Ltd has filed a petition before the Commission on 18.11.2020 for approval of the rates for providing supply at Sabarimala during festival season 2020-21.

The Commission vide the Order dated 11.12.2020, issued the following Orders

“(i) KSEB Ltd shall adopt the cost data for estimating the rate of providing service connections at Sabarimala for the festival season 2018-19, approved vide Order dated 25.10.2018, for providing service connections at Sabarimala during the festival seasons of this FY 2020-21 also.

- (ii) *KSEB Ltd, shall adopt the tariff for Street lights, approved by the Commission for Sabarimala during festival seasons of 2019-20, vide Order dated 28.11.2019, for the year 2020-21 also.*
- (iii) *KSEB Ltd shall, immediately file the petition for approval of the cost data for estimating the cost of providing service connections to the consumers as per the Regulation 33 of the Supply Code 2014.”*

31) Interim Order dated 18.12.2020 in OP.No.31/2020, in the matter of seeking interim Order for approval for procurement of 200 MW Solar Power from Inter State Transmission System Grid Connected Solar Photo Voltaic projects through Solar Energy Corporation Limited (SECI) on long term basis to meet the RPO of KSEB Ltd as specified in KSERC (Renewable Energy & Net Metering) Regulations.

KSEB Ltd has filed a petition before the Commission on 27.10.2020 with the following prayer.

“to grant an interim Order approving the procurement of 200MW solar power from ISTS grid connected solar photo voltaic projects selected by SECI as per their offer letter dated 7-8-2020”.

The Commission vide the Interim Order dated 18.12.2020, decided on the matter as follows.

- “(1) KSEBL may submit the comments on the affidavit dated 04.12.2020 filed by the respondent SECI, on or before 05.01.2021, with a copy to the respondent.*
- (2) KSEBL and SECI, may proceed with the procurement of 200 MW Solar power from the SECI’s manufacturing linked tender, subject to the following;*
 - (i) The maximum pooled tariff of the 200 MW solar power supplied to KSEB Ltd shall not exceed Rs 2.66/unit plus trading margin.*
 - (ii) The Power Sale Agreement to be signed between the petitioner KSEB Ltd. and the respondent SECI shall be jointly initial and submitted to the Commission for its formal approval. The Power Sale Agreement shall be effective only after its formal approval by this Commission.”*

32) Order dated 10.02.2021 in O.A.No.06/2020, in the matter of Fixing tariff for proposed 6 MW ISWM Waste to Energy (WtE) Project, Njalianparambu, Kozhikode for a period of 25 years.

M/s. Malabar Waste Management Pvt Ltd (M/s. MW MPL), has filed a petition on 29.01.2020 before the Commission for Fixing tariff for proposed 6 MW ISWM Waste to Energy (WtE) Project, Njalianparambu, Kozhikode for a period of 25 years with following prayers.

- “(1) Take the accompanying Tariff petition of Malabar Waste Management Private Limited on record and treat it as complete.*
- (2) The Levelized Tariff of Rs 8.13 or any other as determined by the Commission be approved for the 6MW gross power output produced for 25 years from the Commercial Operation Date (CoD) of the project being life of the project.*

- (3) Any electricity generated by MWMPPL from the project in excess of the levels mentioned in the Power Purchase Agreement be bought by Kerala State Electricity Board (KSEB Limited) at the same Levelized Tariff approved by the Commission.
- (4) The electricity generated from the project of MWMPPL be Ordered to be treated as a MUST-RUN project by KSEB.
- (5) The project be Ordered to be exempted from Merit Order Dispatch of the KSEB and SLDC of the State.
- (6) Condone any inadvertent omissions/errors/shortcomings and permit the petitioner to add/change/modify/alter portion(s) of this filing and make further submissions as may be required at a later stage; and
- (7) Pass such an Order as the Hon'ble Commission deems fit and proper as per the facts and circumstances of the case."

The Commission vide the Order dated 10.02.2021, decided on the matter as follows.

- (1) The levelized tariff for the electricity generated from the 6MW MSW plant of the petitioner at Kozhikode is provisionally approved @ Rs 6.81/unit without the benefit of accelerated depreciation and Rs 6.31/unit with the benefit of accelerated depreciation in case the petitioner so desires for the electricity generated upto the normative PLFs specified under paragraph 31 of this Order.
- (2) The tariff for the excess generation over the normative PLF specified under paragraph 31 of this Order shall be @75% of the approved levelized tariff.
- (3) KSEB Ltd shall purchase the entire electricity generated from the project at the tariff as Ordered under paragraphs (1) and (2) above.
- (4) As per Regulation 38(1) of the KSERC (Renewable Energy & Net Metering) Regulations, 2020, the project of the petitioner shall be treated as 'MUST-RUN' and shall not be subjected to Merit Order Principles.
- (5) KSEB Ltd shall reimburse, any tax paid on the RoE, limited to the amount of equity specified in this Order, after getting separate invoice from the petitioner with necessary documentary evidence on payment of such tax to the authorities.
- (6) The provisional tariff is now determined considering the VGF available for all MSW plants. Any other incentive or subsidy offered by the Central and State Government shall also be necessarily availed by the developer and an appropriate reduction in the provisional tariff now determined will be effected. The Commission would like to emphasise that it is the responsibility of the petitioner to take all appropriate steps to avail these benefits.
- (7) The petitioner, if they so desire, may file a fresh petition for tariff determination after declaring COD with full details as per Regulation 36 of the RE Regulations, 2020.

However, if the petitioner does not file any fresh petition for tariff determination within 180 days from the date of declaration of the CoD, the provisional tariff determined in this Order shall be treated as the final tariff.

33) Order dated 17.02.2021 in OP.No.45/2020, in the matter of seeking Clarification on provisions laid down under Chapter III clause 13 (General Conditions) of KSERC-Notification No.1204/D(T)/ 2019/ KSERC dated,7th February 2020.

Indian Oil Officers Cooperative Housing Society Ltd, filed a petition on 23.09.2020 before the Commission with following prayers.

*“Issue a Clarification note on the notification No: 1204/D(T)/2019/KSERC dated 7th February 2020 to clarify that connected load is not a limitation for connecting solar plants for **“Group Housing Societies and Residential Flats”**, prosumers and hence enable us to connect 100 kWp solar power plant at our residential apartment as explained in the submission above”.*

The Commission vide the Order dated 17.02.2021, decided on the matter as follows.

- “(1) All prosumers, irrespective of their tariff category, are allowed to install Solar PV system under net metering up to the sanctioned connected load or contract demand as applicable to the prosumer, subject to other conditions specified under Regulation 13 of the KSERC (Renewable Energy and Net Metering) Regulations, 2020 and its amendments from time to time.*
- (2) Domestic consumers with connected load upto 20kW is permitted to install Solar PV system of capacity upto 20kW under metering, irrespective of their connected load, subject to other provisions of the KSERC (Renewable Energy and Net Metering) Regulations, 2020 and its amendments from time to time.*
- (3) As per the prevailing Tariff Orders and Schedule of Tariff and Terms and Conditions of Supply, the power supply to common facilities in group housing societies and residential flats exclusively for domestic purpose such as fire control, common lighting, lifts, water pumping etc shall be billed under domestic tariff. Accordingly, the service connections to common services in group housing societies and residential flats ‘is to be treated as prosumer for domestic use.*
- (4) Distribution Licensees shall irrespective of the connected load/contract demand permit group housing societies and residential flat complexes availing supply at LT voltage levels for common services such as lift, common lighting, club house, car parking etc., to meet their power requirements of their common services, to install Solar PV system under net metering as a Prosumer, upto a maximum capacity of 100kW.”*

34) Order dated 25.02.2021 in OP.No.37/2020, in the matter of seeking compliance to the judgement of the Hon’ble High Court dated 16-10-2018 in Writ Appeals WA Nos.1448 & 1482 of 2017 for determination of tariff of individual consumers.

KSEB Ltd, filed a petition on 18.11.2020 seeking compliance to the judgement of the Hon’ble High Court dated 16-10-2018 in Writ Appeals WA Nos.1448 & 1482 of 2017 for determination of tariff of individual consumers. with following prayers.

“The Hon’ble Commission may be pleased to allow the Applicant to realise the reasonable expenditure incurred for providing electric supply to the respondents as well as all similarly placed applicant/consumers as per the methodology described under paragraph 10.19 of this application in Order to meet the ends of justice as held by the Hon’ble High Court”.

The Commission vide the Order dated 25.02.2021, issued the following Orders

- “(1) The first respondent Shri. Mujeeb Rehman shall reimburse Rs 1,09,243/- as expense towards the cost of the 24.95 kW dedicated capacity allotted from the newly installed 160 kVA transformer at Kundekkadavu, Arookutty to enhance his load from 63.05kW to 88 kW.*
- (2) The second respondent Sr. Radhakrishnan. T.K, shall reimburse Rs.1,41,913/- as expense towards the cost of the 35kW dedicated capacity allotted from the newly installed 100kVA transformer at Kohinoor under Electrical Section, Chelari.*
- (3) KSEB Ltd can permit monthly installment facilities up to 60 months at the weighted average interest rate of loans outstanding as on 31.03.2020, for remitting the expenses arrived at as above under sub-para (1) & (2) by the Respondents, if they so desire.*
- (4) The prayer of the KSEB Ltd to make applicable the above methodology to other similarly placed applicants/consumers is rejected due to the reasons specified under paragraph 24 above.”*

35) Order dated 17.03.2021 in OP.No.26/2020, in the matter of seeking approval of the procurement of power including price at which electricity to be purchased by KSEB Ltd., from THDC India Ltd’s solar PV Project of 50MW capacity established at Kasargod District.

M/s THDC India Ltd, filed a petition on 07.09.2020 approval of the procurement of power including price at which electricity to be purchased by KSEB Ltd., from THDC India Ltd’s solar PV Project of 50MW capacity established at Kasargod District with following prayers.

- (1) Approve the procurement of power by KSEB Ltd., from THDC India Ltd.’s solar PV Project of 50MW Capacity being established in the 200MW solar power park in Kasargod District in the State of Kerala.*
- (2) Pass any such further Order or Orders as this Hon’ble Commission deems just and proper in the circumstance of the case.*

The Commission vide the Order dated 17.03.2021, decided on the matter as follows.

- “(1) The levelized tariff for the electricity generated from the 50 MW Solar Project of M/s THDC India Ltd is approved @ Rs 3.10/unit, inclusive of all taxes and duties including tax on RoE.*

- (2) *The levelized tariff approved as above is applicable for the entire electricity injected into the grid from the date of synchronization upto 25 years.*
- (3) *Since the tariff of this petition is already determined as per Section 86(1)(b) by the State Commission, the Commission hereby directs THDC India Ltd not to pursue for tariff determination under Section 79(1)(a) of the Electricity Act before the Central Commission.*
- (4) *Since the tariff approved for the project is the upper ceiling tariff mutually agreed by the petitioner M/s THDC India Ltd and the respondent KSEB Ltd, the petitioner is not eligible to reimburse the tax on RoE from KSEB Ltd, and also not eligible to pass through the taxes and duties to KSEB Ltd, as detailed under paragraph 42 and 43 of this Order.*
- (5) *As mentioned under Paragraph 18 of this Order, the present proceedings are limited to determination of tariff for the project as per Section 62 of the Electricity Act, 2003. The petitioner M/s THDC India Limited and the respondent KSEB Ltd is required to modify the initialled PSA with the approved tariff as above, and shall file a separate petition for approval of the PSA as per the provisions of the Electricity Act, 2003 and the Regulations notified by this Commission.”*

36) Order dated 17.03.2021 in OP.No.09/2021, in the matter of seeking LT Contract Demand based Tariff for common connection of ‘residential apartments’.

Shri. Mathew Kuruvilla, Managing Director, M/s Chandy’s Homes, filed a petition on 22.01.2021 seeking LT Contract Demand based Tariff for common connection of ‘residential apartments’

The Commission vide the Order dated 17.03.2021, issued the following Orders.

- “(1) Reject the petition filed by Shri. Shri. Mathew Kuruvilla, Managing Director, Chandy’s Home, Kottayam to change the electricity tariff of the common connections of the residential apartments at demand based tariff, due to the reasons explained under paragraph 5 above.*
- (2) The petitioner, if desires so, can take up the issue raised, in the next tariff revision exercise, which is expected to commence in the next few months.”*

37) Order dated 19.03.2021 vide No.0476/DD(T)/2020/KSERC extending the Schedule of Tariff and Terms and Conditions for Retail Supply of Electricity by KSEB Ltd and all other Licensees in the State of Kerala with effect from 01.04.2021.

The Commission, vide Order dated 19-03-2021 extended the validity of the prevailing ‘Schedule of Tariff and Terms and Conditions for Retail Supply of Electricity by Kerala State Electricity Board Limited and all other Licensees’ approved by the Commission vide Order dated 08.07.2019 in petition No. OA 15/2018, from 01.04.2021 to 31.03.2022 or till the date of effect of the new Tariff Order to be determined by the Commission, whichever is earlier.

38) Order dated 23.03.2021 in OP.No.29/2020 – filed by M/s. Hindalco, in the matter of petition under Section 86 of the Electricity Act, 2003 that the Petitioner’s newly installed 2 MW solar power plant at Kalamassery is a separate unit and do not interfere with the existing 1 MW plant.

M/s. Hindalco Industries Ltd (M/s Hindalco), has filed a petition before the Commission on 23.09.2020 with the following prayers.

- (a) Pass an Order / direction/ clarification interalia, that the petitioner’s newly installed 2 MW solar power plant at Kalamassery is a separate unit and do not interfere with the existing 1 MW plant.*
- (b) Allow banking facility exclusively for the 2 MW solar power plant.*
- (c) Pass any other Order / direction as it deems fit and appropriate in the facts and circumstances of the case.*

The Commission vide the Order dated 23.03.2021, decided on the matter as follows.

- “(1) Allow the petitioner HINDALCO Industries Ltd, to maintain the 1 MW Solar plant with REC benefits and 2 MW Solar plant with banking facilities in the same premises as two separate Solar plants, subject to the safe and reliable working of the Programmable Logic Controller (PLC) based interlocking system installed by the petitioner, and also subjected to the other conditions specified under paragraph 22 of this Order.*
- (2) As suggested by the petitioner HINDALCO Industries Ltd, and also as agreed by the SLDC Kerala, the SLDC shall adopt the 15 minutes energy accounting for the petitioner and similar open access consumers. However, the monthly bills of the petitioner and open access consumers shall be prepared for the accounted energy based on the ToD tariff on monthly basis as per the Tariff Orders issued by the Commission from time to time.”*

39) Order dated 23.03.2021 in OP No.12/2021, in the matter of petition under Regulation 77(3)(f) of the KSERC (Terms and Conditions for Determination of Tariff) Regulations, 2018 seeking approval for entering into short term power procurement arrangement with GMR Energy Trading Ltd (GMRETL), Adani Enterprises Ltd (AEL) and PTC India Ltd (PTC) through DEEP portal for meeting power shortage during April and May 2021.

KSEB Ltd, has filed a petition on 16.02.2021 to adopt the tariff discovered in accordance with Section 63 of the Electricity Act 2003, and for entering into short term power procurement arrangement with GMR Energy Trading Ltd (GMRETL), Adani Enterprises Ltd (AEL) and PTC India Ltd (PTC).

The Commission vide the Order dated 23.03.2021, issued the following Orders.

- “(1) Adopt the tariff discovered in accordance with Section 63 of the Electricity Act 2003, as brought out in Para 9 (iv) of this Order and also grant approval for entering into short term power procurement arrangement with GMR*

Energy Trading Ltd (GMRETL), Adani Enterprises Ltd (AEL) and PTC India Ltd (PTC), selected through DEEP portal for meeting the power deficit of the State during the months of April-2021 and May-2021, as detailed under paragraph-1 above, subject to the terms and conditions stipulated below.

(2) The tariff is shall be single part at the delivery point at Kerala periphery and include all charges such as capacity charge, energy charge, trading margin (if applicable), POC and/or transmission charges upto the delivery point, and all taxes, duties, cess etc. imposed by the Central Government, State Government, Local bodies etc.

(3) KSEB Ltd shall submit a copy of the signed PPA before the Commission for information and record.”

40) OA 05/2020- Truing up of accounts of M/s Cochin PortTrust (CoPT) for the financial year 2018-19- Order Dated 21/04/2020.

M/s Cochin Port Trust (CoPT) is a deemed distribution licensee under the proviso to Section 14 of the Electricity Act 2003 submitted a petition for truing up of accounts for the Financial Year, 2018-19. The Commission after considering the petition, objections raised by KSEB Ltd and the clarifications and details provided by the licensee approved the total expenditure of Rs.3,634.94 lakh and total revenue of Rs.3214.69 lakh with a revenue deficit of Rs.420.25 lakh for the year 2018-19. The cumulative revenue surplus till 2018-19, after considering the revenue deficit of Rs.420.25 lakh for the year is Rs. 3961.19 Lakh.

41) OA 04/2020- Truing up of Accounts of Kanan Devan Hill Plantations Company Private Limited for the year 2018-19- Order Dated 24/04/2020.

M/s Kanan Devan Hill Plantations Company Private Limited is the distribution licensee supplying electricity in its license area at Munnar filed its petition for truing up of accounts 2018-19. In this application, the licensee has claimed a revenue gap of Rs. 178.98 lakh for the year 2018-19 as against the revenue surplus of Rs.18.35 lakh approved by the Commission in the ARR Order dated 11/11/2019. The Commission after considering the petition and details furnished by the license approved the total expenditure of Rs.2,922.37 lakh, total revenue of Rs. 2,937.17 lakh and revenue deficit of Rs.14.80 lakh for the year 2018-19 after truing up. The cumulative revenue surplus till 2018-19 for the licensee is Rs.932.41 lakh.

42) OA No 31/ 2019- Truing up of accounts of M/s Technopark for the financial year 2016-17- Order Dated 27/04/2020.

M/s Technopark, Thiruvananthapuram, is a deemed distribution licensee for distribution of electricity in the Technopark campus. M/s Technopark filed the application for truing up of accounts 2016-17 and the licensee has claimed a revenue deficit of Rs.204.31 lakh for the year 2016-17 as against a revenue surplus of Rs.316.78 lakh approved by the Commission in the ARR Order dated 16/11/2016. The Commission after considering the petition, comments of KSEB Ltd and clarifications furnished by the licensee had approved the total expenditure of Rs. 5,802.94 lakh and total revenue of Rs.6,035.79 lakh with a revenue surplus of Rs. 232.85 lakh. Thus the cumulative revenue surplus till 2016-17for the licensee is Rs.924.23 lakh.

43) OA 32/2019- Truing up of accounts of M/s Thrissur Corporation Electricity Department (TCED) for the financial year 2017-18- Order Dated 28/04/2020.

M/s Thrissur Corporation Electricity Department is a deemed licensee under Electricity Act 2003 filed the application for truing up of accounts 2017-18. The licensee has claimed at a revenue surplus of Rs.152.74 lakh in the truing up petition for the year 2017-18. The Commission after considering the application for truing up of accounts for the year 2017-18, objections raised by KSEB Ltd. and the clarifications and details provided by the licensee approved the total expenditure of Rs. 12,027.22 lakh and the total revenue of Rs.13012.22 lakh, with a revenue surplus of Rs.985 lakh. The cumulative revenue surplus till 2017-18 will be Rs.13889.42 lakh.

44) OA 27/2019- Truing up of accounts of M/s KINESCO Power and Utilities Private Limited (KPUPL) for the Financial Year 2015-16- Order dated 30/07/2020.

The KINESCO Power and Utilities Private Limited (KPUPL) is a deemed distribution licensee, as per the first proviso of Section 14 of Electricity Act 2003. M/s KPUPL submitted the Truing Up Petition for the Financial Year 2015-16 and has arrived at a revenue deficit of Rs.60.79 lakh. The Commission after considering the application for the year 2015-16, objections raised by KSEB Ltd. and the clarifications and details provided by the licensee approves the total expenditure of Rs.4934.95 lakh and total revenue of Rs.5411.02 lakh with a revenue surplus of Rs.476.07 lakh. The cumulative revenue surplus till 2015-16 will be Rs. 2790.71 Lakh.

45) OA 28/2019- Truing up of accounts of M/s KINESCO Power and Utilities Private Limited (KPUPL) for the Financial Year 2016-17- Order dated 19/08/2020.

The KINESCO Power and Utilities Private Limited (KPUPL) is a deemed distribution licensee submits the Truing Up petition for the year 2016-17. The licensee has claimed a revenue deficit of Rs.54.62 lakh for the year 2016-17. The Commission after considering the application for truing up of accounts for the year 2016-17, objections raised by KSEB Ltd and the clarifications and details provided by the licensee approves the total expenditure of Rs. 5211.32 lakh and total revenue of Rs.5796.24 lakh with a revenue surplus of Rs.584.92 lakh. The cumulative revenue surplus till 2016-17 will be Rs. 3375.63 Lakh.

46) OA 11/2020- Truing up of accounts of M/s Thrissur Corporation Electricity Department (TCED) for the financial year 2018-19- Order Dated 20/08/2020.

Thrissur Corporation Electricity Department is a deemed licensee under Electricity Act 2003 filed the application for truing up of accounts 2018-19 and has arrived at a revenue gap of Rs.63.55 lakh. The Commission after considering the application filed by M/s TCED for truing up of accounts for the year 2018-19, objections raised by KSEB Ltd. and the clarifications and details provided by the licensee approves the total expenditure of Rs. 12045.71 lakh, the total revenue of Rs.12814.09 lakh and the revenue surplus of Rs.768.38 lakh. The cumulative revenue surplus till 2018-19 will be Rs. Rs.14657.80 lakh.

47) OA No 12/2020- Truing up of accounts of M/s Technopark for the financial year 2017-18- Order Dated 15/10/2020.

M/s Technopark, Thiruvananthapuram, is a deemed distribution licensee for distribution of electricity in the Technopark campus Technopark filed the application for truing up of accounts 2017-18 and has claimed a revenue deficit of Rs.171.70 lakh for the year 2017-18, as against a revenue surplus of Rs.190.49 lakh approved by the Commission in the ARR Order dated 22/06/2017. The Commission after considering the petition, comments of KSEB Ltd and clarifications furnished by the licensee had approved the total expenditure of Rs.5931.18 lakh and total revenue of Rs. 6311.12 lakh with a revenue surplus of Rs.379.94lakh. The cumulative revenue surplus till 2017-18 will be Rs.1183.38 lakh.

48) OA 17/2020- Truing up of accounts of M/s Cochin Special Economic Zone Authority (CSEZA) for the Financial Year 2018-19- Order Dated 18/12/2020.

M/s Cochin Special Economic Zone Authority (CSEZA) submitted an application for Truing up of accounts for the financial year 2018-19 and has arrived at revenue gap of Rs.58.46 lakh for the year 2018-19 as against the revenue gap of Rs.58.49 lakh approved by the Commission in the ARR Order for the first control period dated 02/12/2019. The Commission after considering the petition, comments of KSEB Ltd and clarifications furnished by the licensee had approved total expenditure of Rs. 3652.89 lakh, total revenue of Rs. 3670.89 lakh and revenue surplus of Rs. 18.00 lakh for the year 2018-19. The cumulative revenue surplus till 2018-19 will be Rs.507.57 lakh.

49) OP 34/2020- Truing up of accounts of M/s KINESCO Power and Utilities Private Limited (KPUPL) for the Financial Year 2017-18- Order dated 29/03/2021.

The KINESCO Power and Utilities Private Limited (hereinafter called KPUPL or the licensee) is a deemed distribution licensee, as per the first proviso of Section 14 of Electricity Act 2003 filed the application for truing up of accounts 2017-18 and has arrived at a revenue gap of Rs.19.62 lakh. The Commission after considering the application filed by M/s KPUPL for truing up of accounts for the year 2017-18, objections raised by KSEB Ltd. and the clarifications and details provided by the licensee approves the total expenditure of Rs. 5539.51 lakh and the total revenue of Rs.5898.63 lakh. The cumulative revenue surplus till 2017-18 will be Rs.3734.75 lakh.

50) Amendment Order dated 05/06/2020 in OA 03/2020- Truing up of accounts of M/s Cochin Special Economic Zone Authority (CSEZA) for the Year 2017-18.

The Commission in its Order dated 16/03/2020 had approved the truing up of accounts of M/s Cochin Special Economic Zone Authority (CSEZA) for the year 2017-18. M/s KSEB Ltd had submitted an application for amending the Order dated 16-3-2020 of the Commission and pointing out certain errors in the Order. The KSEB Ltd has pointed out that, M/s CSEZA, has claimed the actual distribution loss in the petition as 1.542%, against the approved loss of 1.50%. The excess power purchase cost due to excess distribution loss is to be deducted from the total power purchase cost as per Regulation 67. Instead of deducting the excess power purchase cost it is

seen added to the total power purchase cost. The Commission has examined the matter and modified the Order. Accordingly, the approved power purchase cost for 2017-18 is revised as Rs.3394.37 lakh instead of Rs.3395.94 lakh. Consequently, the total expenditure is revised as Rs.3682.52 lakh instead of Rs.3684.09 lakh and the revenue gap is revised to Rs.11.94 lakh instead of Rs.13.51 lakh.

51) RP No.01/2020- Review Petition against Order dated 08/11/2019 in OA 10/2019 on the ARR & ERC of M/s Rubber Park India (P) Limited for the period 2018-19 to 2021-22- Order dated 24/04/2020.

M/s Rubber Park India (P) Ltd filed a petition for the Review of the Order of the Commission in OA No. 10/2019 dated 08/11/2019 on the ARR & ERC for the control period (Control Period) 2018-19 to 2020-21. M/s RPIL submitted in the review petition that, the Commission in the Order dated 8-11-2019 had not considered the expenses of Return on Equity, Interest on Normative Loan and Depreciation. The Commission after considering the application filed by M/s. RPIL and objections raised by KSEB came to the decision that the petitioner has not been able to provide sufficient justification for each of the points raised in this Review Petition. Accordingly, no modification was made in the Order dated 08-11-2019.

52) OP13/2020- Waiver of interest for delayed payment as per Schedule -1 of Miscellaneous charges of Kerala State Electricity Supply Code – 2014 of M/s Bharat Sanchar Nigam Limited (BSNL)- Order Dated 03/07/2020.

M/s BSNL submitted a petition for Waiver of interest for delayed payment as per Schedule -1 of Miscellaneous charges of Kerala State Electricity Supply Code – 2014. M/s BSNL is temporarily having a revenue /cash flow shortage and is unable to pay its electricity charges in time. Though M/s BSNL has approached to M/s KSEBLtd and M/s TCED for waiving the interest charges for belated payments by considering BSNL as a Government of India Enterprise of national importance and as incipient sick PSU. Since, KSEB Ltd denied the request, the petitioner approached the Commission. After considering the contentions of the petitioner, the respondents and the provisions of the Supply Code 2014, the Commission decided that that the waiver of interest charges and extension of due date as sought by the petitioner cannot be allowed.

53) OA14/2020- Capital Investment Plan of M/s Rubber Park India (P) Limited (RPIL) for the financial year 2020-21 - Order Dated 25/09/2020.

M/s Rubber Park India (P) Limited (RPIL) has filed a petition seeking approval of capital investment plan of Rs.53.87 lakhs for the year 2020-21. The proposal includes a 'Unitized substation' with a building for housing the distribution substation, RMU, Transformer and LV distribution board. The Commission has examined the proposal of the licensee and the comments of KSEB Ltd. After due consideration of the petition and the views expressed during the public hearing, the Commission approved the proposal with a direction that the licensee shall furnish the proper details on the funding of the proposal during the truing up of accounts.

54) OA64/2019- Approval of Addition of Assets for the year 2016-17 as part of Truing up of accounts of M/s KSEB Ltd for the financial year 2016-17 - Order Dated 12/10/2020.

M/s KSEB Ltd filed a petition for approval of capital asset addition made during the year 2016-17 in compliance of the Order dated 14/09/2019 in OA No.12/2018 on the Truing up of accounts of KSEB Ltd for the year 2016-17. In the said Order, the Commission did not allow the capital addition of Rs.1768.65 crore. proposed by KSEB Ltd for the year since the details as per the provisions of the Kerala State Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2014 were not available with petition. Accordingly, KSEB Ltd filed separate petition for approval of asset additions and for interest on normative loan and depreciation.

The Commission after considering in detail, the petition filed by KSEB Ltd, the objections from stakeholders and other materials placed before it, approved the asset addition of Rs.1459.87 crore for the year. After considering grants and contribution, the net increase in normative loan for the year was Rs. 517.64 crore. After allowing the interest charges and depreciation, revenue gap for the year was modified as Rs.1118.66 crore after truing up, by allowing additional depreciation of Rs.12.56 crore and interest on normative loan of Rs.27.05 crore for the asset addition approved for the year 2016-17.

55) Truing up of Accounts of M/s. Rubber Park India (P) Ltd for the year 2015-16 of Rubber Park (I)Pvt. Ltd. as per the Order dated 18.06.2020 of Hon'ble APTEL in Appeal No114 of 2018- RemandOrder Dated 19/10/2020.

The instant case has been initiated based on the directions in the Order of the Hon. APTEL dated 18/06/2020 in Appeal No.114 of 2018 filed by M/s Rubber Park India (P) Ltd against the Orders dated 26/07/2017 and 13/12/2017 of the Commission in the matter of Truing up of Accounts for the year 2015-16 and the Review thereof. In the said appeal, the appellant, RPIL raised as the first issue the disallowance of interest on normative loan for the existing assets for the year 2015-16 and the second issue as the disallowance of Return on Equity for the addition of assets during 2015-16. In the light of the directions of the Hon. APTEL for reconsideration, the Commission after examining the materials and having considered the provisions of the Tariff Regulation 2006 and 2014, came to the conclusion that interest charges alone can be allowed for the assets created during the year 2015-16. Interest charges on pro-rata basis allowed for the assets added during 2015-16 and interest charges prior to 01/04/20015 is not allowed subject to the observations mentioned in the Order.

56) OP30/2020- Approval of reliefs to be extended to various categories of consumers of TCED due to lock-down restrictions imposed by the Government to curb the spread of Covid-19 pandemic by M/s TCED- Order dated 28/12/2020.

M/s TCED has filed the petition for allowing the consumers of TCED the reliefs announced by the Government on electricity charges during the covid lock down period. The Commission after considering the Government Order dated 1-6-2020 and 26-6-2020, allowed extension of the reliefs announced by the Government to

the consumers of TECD, pending the response from the Government. In the Order dated 28-12-2020 the Commission allowed Rebate of 25% in fixed charges commencing from 24th March till end of May 2020 as announced by the Government for Industrial consumers, Commercial consumers and private hospitals shall be made applicable to the similarly placed consumers of TCED licence area. Further, the deferment of balance 75% of the fixed charges be allowed to be paid without interest till 15/12/2020. The rebates in the bills announced by the Government for domestic consumers shall also be allowed in the same manner for the domestic consumers in TCED area. TCED shall furnish to the Commission, the consumer category wise details of rebates actually extended to the consumers once the refunds/rebates are fully passed on to the consumers. The financial commitment on account of allowing above rebates/relaxations will be addressed suitably during the truing up process for the respective year duly considering the directions if any on this issue from the Government.

57) OP 19/2020- Approval of reliefs extended to various categories of consumers in the State due to lock-down restrictions imposed by the Government to curb the spread of Covid-19 pandemic-by M/s KSEB Ltd- Order dated -31/12/2020.

M/s KSEBLtd filed a petition before the Commission a petition for allowing the rebates allowed by the Government on fixed charges and deferment of due date without interest for the consumers of KSEB Ltd announced by the Government. In the petition, KSEB Ltd stated that Central Government was announced rebate in the fixed charges payable to certain central generating stations and transmission charges. Further, Government of Kerala vide G.O dated 1/6/2020 issued directions under section 108 of the Act to the Commission for allowing the rebates and also announced subsidy to domestic consumers vide G.O. dated 26/06/2020. KSEB Ltd also sought approval of these rebates and concessions to the consumers announced by the Government and others reliefs as shown below:

- Rebate of 25% on the fixed charges applicable to industrial consumers, commercial consumers and private hospitals for the month of March, April and May-2020 and to defer the payment of balance fixed charge (75%) of these months to 15/12/2020.
- Exemption of surcharge applicable for the payment of balance fixed charge of industrial consumers, commercial consumers and private hospitals for the month of March, April and May 2020 up to 15/12/2020 by invoking the power of the Commission under Regulation 179 (power of relaxation and power to remove difficulties) of the Kerala Electricity Supply Code-2014.
- Allowing relaxation in Regulation 73(4) of the Kerala Electricity Supply Code-2014 for deferring the demand for additional security deposit in the 1st quarter of FY 2020-21.
- Allowing pass through of expenses incurred to provide 5% cash back facility given to first time uses of online payment facility, during truing up process.
- Exemption of application fee for new service connection applications submitted through online for a period of one year, as part of curtailing the visit of consumers to KSEB Ltd offices.
- Allow to pass on the additional financial impact if any during truing up of FY 2020- 21.

After considering petition, government directions in this regard and the views expressed by various stakeholders, the Commission allowed rebate of 25% on the fixed/demand charges to consumers under the tariff categories LT IV(A) Industry, LT IV(B) IT & IT Enabled services, LT VII(A) Commercial, LT VII(B) Commercial, LT VII(C) Commercial, private hospitals categorised under LT VI (G) General and also to the consumers categorised under the aforementioned tariff categories availing supply at HT & EHT voltage level for the lock down period, commence from 24/03/2020. In case KSEB Ltd. decides to allow the rebate from 01/03/2020, the additional commitment on this account has to be borne by KSEB Ltd. The prayer to defer the payment of balance 75% fixed charges of three months up to 15/12/2020 and exemption of Surcharge applicable for the delayed payment of the balance 75% of the fixed/demand charges, was also allowed. On the request of KSEB Ltd. to permit as a pass through the additional burden on account of rebate/reliefs granted during the truing up process, the Commission directed that KSEB Ltd to take up the matter with the Commission after the decision of Government of Kerala is received in this matter. The prayer of allowing relaxation in Regulation 73(4) of Kerala Electricity Supply Code, 2014, for deferring the demand for additional security deposit in the 1st quarter of FY 2020-21 is also allowed as a one-time measure. The request for allowing the pass through of rebate of 5% of the total bill subject to a maximum of Rs.100/- for promotion of online payment facility for first time users as a force majeure measure is also allowed as a special case. The prayer for exemption of the application fee for new service connection applications submitted online for a period of one-year i.e. up to 31/03/2021, as part of a measure to contain the Covid-19 pandemic is also allowed in public interest, taking into consideration the severe impact of the Covid-19 pandemic on the State's economy. The Rebates to domestic consumers offered by Government of Kerala as per Section 65 of the Act is also allowed considering the G.O. dated 26/06/2020.

58) OP 22/2020, OP 24/20 & OP 25/20- Extension of the relief and concessions offered by KSEB Ltd to industrial/commercial consumers and private hospitals to the petitioners and changing the status of petitioners as 'Industrial' category- by M/s Vodafone Idea Limited, M/s Indus Towers Limited and M/s ATC Telecom Infrastructure Private Limited- Order Dated 08/01/2021.

M/s Vodafone Idea Limited, M/s Indus Towers Limited and M/s ATC Telecom Infrastructure Private Limited has filed a petition for extension of the relief and concessions offered by KSEB Ltd to industrial/commercial consumers and private hospitals to the petitioners and changing the status of petitioners as 'Industrial' Category. The Commission vide the Order dated 08/01/2021 directed KSEB Ltd shall examine the penalty charged on account of delay in preparation / issue of the bill of the petitioners during the lock down period.

59) OP 40/2020- Approval of One Time Settlement Scheme 2021 filed by KSEB Ltd- Order dated -11/02/2021.

KSEB Ltd filed a petition before the Commission for the approval of 'The Scheme for One Time Settlement of Arrears-2021 (OTS 2021)' under the provision of Regulation 136 (5) of Kerala Electricity Supply Code-2014, with the following prayers that the

Commission may approve the OTS to be implemented for the consumers of KSEB Ltd for a period from 20/12/2020 to 28/02/2021 and specify a special rate of interest for settlement of arrears which are more than 15 years old. Further, approval also sought for the settlement made by KSEB Ltd applying the OTS- 2019 scheme in genuine applications received after the expiry of the scheme period in anticipation of the extension of OTS- 2019 by the Commission. The Commission vide the Order dated 11/02/2021, approved the scheme after modifying the conditions attached to the Scheme.

60) OP 42/2020- Review of Order dated 04/09/2020 in the matter of Capital Investment Plan for 2012-13 to 2016-17 of Distribution Licensee M/s.Technopark- Order dated 03/03/2021.

M/s Technopark filed a petition before the Commission for approval of capital investment plan for the year 2012-13 to 2016-17 with a total investment of Rs. 7,63,03,692/-. The Commission after considering the review petition of capital expenditure approval from 2012-13 to 2016-17 The Commission vide the Order dated 03/03/2021, approved the prayers as shown below:

- I. The Assets created at Kollam campus costing Rs.27 Crores is yet to be Commissioned and put to use and therefore there is no eligibility for approval until and unless the Assets are put to use. Hence the Order dated 04/09/2020 prevails in this matter.
- II. The Assets of Phase 1 campus out of which Rs,88,95,921/- was disallowed vide Order dated 04/09/2020 is modified to the limited extent by allowing the Service Tax amount of Rs.2,30,025/-. Further Rs.16,89,471/- can be considered for approval on production of relevant documents by the licensee. For the rest of the expenses, the Commission Order dated 04/09/2020 prevails and this Order is modified to the above extent.
- III. Assets of Rs.625.89 lakhs of Phase 3 campus disallowed vide Order dated 04-09-2020 stands and there is no change in the stand taken by the Commission with respect to electrification of High-rise buildings and street lighting systems. The Commission can allow expenses which form part of the distribution system only to the point of connection as per Sub regulation (5) of Regulation 49 of the Supply Code, 2014.
- IV. The licensee is eligible for the entire value of approved capital assets additions (Rs.2.91 crore) as per impugned Order for RoNFA, interest charges and depreciation. The reference of 61.08% in the impugned Order is deleted to the said extent.

61) OP 43/2020- Approval of refund of excess revenue collected from consumers on account of metering errors for the period from 2007-08 to 2013-14 –filed by M/s Cochin Special Economic Zone Authority (CSEZA) -Order dated 03/03/2021.

M/s. Cochin Special Economic Zone Authority filed the instant petition for the approval of refund of excess amount collected from the consumers due to metering errors during the period from 2007-08 to 2013-14. The Commission after considering petition filed by M/s. Cochin Special Economic Zone Authority the Commission vide

the Order dated 03/03/2021, ordered that the licensee has been able to establish that there is a case for refund of the excess amount billed from the consumers during the period 2007-08 to 2013-14. This was due to errors in the metering system of many consumers, as established by the meter Test Reports and consequent replacement of meters. The proposal of the licensee to refund the excess amount of Rs.3.47 crore arrived at on a pro rata basis is not agreed to. Refund shall only be for the consumers having meters shown positive errors. The refund amount for such consumers shall be the same amount as arrived at by the licensee for the period from 2007-08 to 2013-14 as given in the petition. The refund was allowed after relaxing the provisions of the Supply Code 2014 in public interest purely as a special case.

- 62) OP 02/2021-Petition filed by M/s KSEB Ltd for approval of the settlement reached in compliance with the direction of the Commission contained in the Order dated 08/07/2019, between KSEB Ltd and NTPC Ltd and approved by Government of Kerala in respect of the PPA of Rajiv Gandhi Combined Cycle Power Project (RGCCPP), Kayamkulam, for the years from 2019-20 till the end of the current PPA period (i.e. till 28/02/2025) under Section 86 of the Electricity Act 2003- Order dated-15/03/2021.**

M/s KSEB Ltd has filed the instant petition for the approval of the settlement reached between KSEB Ltd and NTPC Ltd and as approved by Govt. of Kerala in respect of PPA of RGCCPP, Kayamkulam for the 2 years from 2019-20 till end of the PPA period. KSEB Ltd submitted that the Agreement was in compliance with the direction of the Commission in the Order dated 08/07/2019. The Commission after considering petition Ordered that the extension of PPA with RGCCPP for a period up to 28/02/2025 is approved under Section 86 of the Electricity Act 2003, based on the settlement reached between M/s KSEB Ltd and M/s NTPC Limited as per minutes of the meeting held on 12/11/2020, on the condition that the continuation of the compensatory allocation of 180MW of cheaper power from Talcher is provided by NTPC Limited for the entire period of PPA. KSEB Ltd has to ensure the compliance to this condition. The annual fixed charge of Rs.100 crore per annum as agreed to by the parties is also approved for the PPA period. The rate of energy charges as agreed to by the parties is also approved considering the fact that the stock of Naphtha is to be exhausted for reducing the Fixed charges. KSEB Ltd shall seek prior approval from the Commission for further scheduling of the Plant.

- 63) OP. No. 07/2021 - Petition filed by KSEBLtd under Clause 22 of the CEA (Technical Standards for Communication System in Power System Operation) Regulations, 2020; for adopting MPLS Technology, for implementation of the Reliable Communication and Data Acquisition Project' of KSEBLtd - Order dated 18.03.2021.**

Kerala State Electricity Board Ltd. (KSEBLtd), filed this petition for the approval of the Commission, under Regulation 22 of the CEA (Technical Standards for Communication System in Power System Operation) Regulations, 2020 and for adopting MPLS Technology in the place of SDH Technology (SDH Technology is now obsolete and getting technical support and spares in future will be difficult), for implementation of 'the Reliable Communication and Data Acquisition Project' of

KSEBLtd (SBU-T).The DPR for the 'Reliable Communication and Data Acquisition Project' was submitted to the Commission, along with the CAPEX proposal for SBU-T for the Control Period (2018-2022). The project cost is Rs. 147.52 Crores and 50% of the cost of the project is funded through PSDF grant, sanctioned vide the Order dated 15.11.2017 of the Ministry of Power, Government of India.

Hearing on the petition was held at 11.00 AM on 18.03.2021, through Video conference mode. The technical details of the project and the requirement of this petition were presented by Shri.Pradeep K.P, Chief Engineer and Shri. Anand S.R, Deputy Chief Engineer during the hearing. The representatives of KSEBLtd also answered the queries raised on the petition and requested for early approval. The Commission, after examining the Petition in detail as per the provisions of the Electricity Act, 2003 and the CEA (Technical Standards for Communication System in Power System Operation) Regulations, 2020 approved the adoption of the change in technology from SDH to MPLS, for the implementation of 'the Reliable Communication and Data Acquisition Project' of KSEBLtd.

64) OP No. 11/2020 - Petition filed under Section 142 of the Electricity Act, 2003 for the deliberate distortion of laws related to electricity and delaying electrical connection of Afthab Tower, Kolagappara, SulthanBathery, Wayanad District - Order dated 11.06.2020.

Shri. Abdul Kader, P.P filed the petition before the Commission under Section 142 of the Electricity Act, 2003 against the Deputy Chief Engineer, Electrical Circle, Kalpetta for the deliberate distortion of laws related to electricity and delaying electrical connection of Afthab Tower, Kolagappara, Sulthan Bathery, Wayanad District. The petitioner had constructed a four storied building, Afthab Tower in Kolagappara and submitted an application for electrical connection before the Assistant Engineer, Electrical Section, Sultan Bathery on 01.08.2019. The Petitioner has completed the electrification work in the premises as per Indian Standard, Kerala Electricity Supply Code 2014, CEA 2 Regulation and National Building Code. The entire electrical installation at the premises was inspected by the Electrical Inspector, Wayanad on 27.05.2019 and sanction for energisation was received on 11.07.2019. The site inspection was conducted by Deputy Chief Engineer, Kalpetta, KSEB Ltd on 22.11.2019 and electrical connection was denied intimating that the location of metering panel was not according to Clause no.5 of HT Agreement.

The petitioner had prayed to take the necessary actions under Section 142 of Electricity Act, 2003, against the Deputy Chief Engineer, Electrical Circle, Kalpetta for violating laws related to electricity and for deliberately delaying giving the connection to the premises without any valid reasons.

The case was heard by the Commission on 10.06.2020 at 4p.m through video conferencing. Shri. P.K. Purushothaman, President of A Grade Contractors Association for the Petitioner and Shri. Christie. K. Abraham, Deputy Chief Engineer, Electrical Circle, Kalpetta on behalf of the Respondent attended the hearing. After considering the petition in detail, the Electricity Act 2003, relevant regulations and the deliberations in the hearing, the Commission directed KSEB Ltd to;

- (1) effect the service connection to the petitioner immediately on payment of the requisite service connection charges as per the approved cost data. The metering panel and the load break switch chambers shall be sealed by the respondent and sealing certificate obtained.
- (2) submit appropriate amendment proposal on Clause 5 of the HT agreement, consistent with relevant clauses in Indian Standards, National Electrical Code, National Building Code and Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010.
- (3) streamline the processing of application forms in respect of intending consumers for power requirement, complying with the provisions of Kerala Electricity Supply Code, 2014.

65) OP No.39/2020 - Petition filed by KSEB Ltd, for adoption of Tariff for the procurement of 200 MW Solar Power from ground mounted solar power plants, discovered through tariff based competitive e – bidding on all India basis - Order dated 18.12.2020.

M/s Kerala State Electricity Board Limited (KSEB Ltd.) filed a petition on 25.11.2020, praying that *‘this Commission may adopt the Tariff @ Rs. 2.97 per unit for the procurement of 90 MW of solar power from M/s NTPC Ltd. and also for 110 MW of solar power from M/s Tata Power Company Ltd., discovered through competitive bidding process as approved by this Commission’*

The Commission admitted the petition as OP No. 39/2020. Hearing on the petition was held on 15.12.2020, through Video conference mode. The hearing was attended by the following representatives of the Petitioner and the Respondents. The Commission after detailed perusal of the petition, facts, deliberations and clarifications given during the hearing, the earlier Orders of this Commission in the matter and the provisions of the Electricity Act, 2003; the Commission Ordered the following: -

“(1) The Tariff of Rs. 2.97 per unit (kWh) for the procurement of 90 MW of solar power from M/s NTPC Ltd. and 110 MW of solar power from M/s Tata Power Company Ltd.; discovered by KSEB Ltd. through the competitive bidding process as per the bidding guidelines notified by the Central Government is adopted under Section 63 of the Electricity Act, 2003.

(2) KSEB Ltd shall finalize and initial the PPAs with the two successful bidders for their respective quantum of power and file them before this Commission for its formal approval under Section 86 (1) (b) of the Electricity Act, 2003. The formal approval of the PPAs by this Commission is a condition precedent and the PPAs shall come into effect only after this.”

66) OP No.60/2019 - Petition filed by KSEB Ltd for approval of Manual of Procedure for processing and resolving of complaints of consumers - Order dated 12.01.2021.

M/s Kerala State Electricity Board Ltd filed a petition for approval of the draft Manual of Procedure for processing and resolving the complaints of consumers prepared in accordance with the provision of Regulation 29 (1) of KSERC (Standards of

Performance of Distribution Licensees) Regulations, 2015. Public hearing on the petition was conducted on 20.02.2020 at Thiruvananthapuram and on 27.10.2020 through video conference. KSEB Ltd in the hearing presented and explained the petition in detail and also submitted the list of difficult areas for approval along with the list of transformers coming under Urban and Rural areas. In the hearing, stake holders and other electricity consumer's associations, groups and forums submitted their comments.

In the meantime, vide Government of India Notification CG-DL-E-31122020- 224061 No.681 dated 31st December, 2020, the Ministry of Power has notified the Electricity (Right of Consumers) Rules, 2020. The Commission has since reviewed the provisions of these Rules and noted that a number of deviations and additions will have to be made in the Commission's Regulations including amendments in the KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015 and the Kerala Electricity Supply Code, 2014, so as to bring it in line with these Rules. Since these Regulations are in the nature of sub-ordinate legislation and electricity being a concurrent subject under the Constitution, the State Regulations has to be made consistent to the Rules. Hence, the KSERC Regulations has to be amended following the due process i.e., pre-publication, conduct of public hearings, consideration by the Commission and amendments as required to be published through Gazette Notification.

Due to such circumstances, the Commission is constrained to amend its Regulations first before the Draft KSEB Ltd. Manual of Procedure for processing and resolving complaints of consumers is approved and Ordered as follows

“ (1) In view of the notification of Electricity (Right of Consumers) Rules, 2020, the Commission cannot issue any Regulations or Orders which are not consistent with the Rules.

(2) KSERC will be proposing amendments in KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015, Kerala Electricity Supply Code, 2014, and any other Regulations as required so as to bring these Regulations in line with the Rules.

(3) Thereafter, KSEB Ltd. can consider and proposed amendments/changes in the Draft Manual making it consistent with the Amendments as adopted by KSERC as per (2) above.”

67) OP No.47/2020 - Petition filed by M/s Technopark, Park Centre, Thiruvananthapuram for approval of Manual of Procedure for processing and resolving of complaints of consumers - Order dated 19.01.2021.

M/s Technopark, Park Centre, Thiruvananthapuram filed a petition for approval of the draft Manual of Procedure for processing and resolving the complaints of consumers prepared in accordance with the provision of Regulation 29 (1) of KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015. The Government of India Vide Notification CG-DL-E-31122020-224061 No.681 dated 31st December, 2020; the Ministry of Power has notified the Electricity (Right of Consumers) Rules, 2020.

The Commission has since reviewed the provisions of these Rules and noted that a number of deviations and additions will have to be made in the Commission's Regulations including amendments in the KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015 and the Kerala Electricity Supply Code, 2014, so as to bring it in line with these Rules. Since these Regulations are in the nature of sub-ordinate legislation and electricity being a concurrent subject under the Constitution, the State Regulations has to be made consistent to the Rules. Hence, the KSERC Regulations has to be amended following the due process i.e., pre-publication, conduct of public hearings, consideration by the Commission and amendments as required to be published through Gazette Notification. Under such circumstances, the Commission is constrained to amend its Regulations first before the Draft Manual of Procedure for redressing consumer complaints prepared by Technopark is approved and ordered as follows:

“ (1) In view of the notification of Electricity (Right of Consumers) Rules, 2020, the Commission cannot issue any Regulations or Orders which are not consistent with the Rules.

(2) KSERC will be proposing amendments in KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015, Kerala Electricity Supply Code, 2014, and any other Regulations as required, so as to bring these Regulations in line with the Rules.

(3) Thereafter, M/s Technopark can consider and propose amendments/changes in the Draft Manual of Procedure for redressing consumer complaints making it consistent with the Amendments as adopted by KSERC as per (2) above.

(4) The fee remitted by M/s Technopark towards the petition will be adjusted while on resubmission of the Draft Manual of Procedure for redressing consumer complaints which is consistent with the Amendments as adopted by KSERC.”

- 68) OP No.06/2021 - Petition filed by KSEB Ltd under Regulation 77(3)(f) of the KSERC (Terms and Conditions for Determination of Tariff) Regulations 2018, seeking approval for entering into short term Power Procurement Arrangement through Banking transactions of Power during the period 03/2021 to 09/2021 with Tata Power Delhi Distribution Ltd. through PTC India Ltd - Order dated 16.02.2021.**

Kerala State Electricity Board Ltd. (KSEB Ltd), filed the Petition under Regulation 77(3) (f) of the KSERC (Terms and Conditions for Determination of Tariff) Regulations 2018, seeking approval for entering into short term Power Procurement Arrangement through Banking transactions of Power during the period from March 2021 to September 2021, with Tata Power Delhi Distribution Ltd. (TPDDL) through the Trader PTC India Ltd. This power banking transaction is envisaged to manage the Power demand of the State during the summer months of March to May 2021. In Order to select the supplier, KSEBL on 10.12.2020 floated a tender, inviting bids from the utilities and traders for banking of power.

Based on the tender, three bids were received and the quote of M/s TATA Power Delhi Distribution Ltd. (TPDDL) through PTC India Ltd. (Trader) was the L1 Bidder in the Tender, with the highest Net score. Hearing on the petition was conducted at 11.00 AM on 11.02.2021 through Video conference mode. The representatives of KSEB Ltd and the PTC India Ltd attended the hearing, answered the queries on the petition and requested for early approval, for issuance of the LOI for the transaction. The Commission, after examining the petition and the additional submission filed by KSEB Ltd, as per the provisions of the Electricity Act, 2003 and the KSERC (Terms and Conditions for Determination of Tariff) Regulations, 2018;

1) Approve the selection of M/s Tata Power Delhi Distribution Ltd. through PTC India Ltd.(Trader), vide the tender dated 10.12.2020, for the banking arrangement of power for the period from 03/2021 to 09/2021 as indicated below:

Supply (to KSEBL) Period			Return (to TPDDL) Period				Return Quantum of power	Trading Margin
Month	Duration/ MW		Month	Duration/ Max.MW		MU		
	RTC	14.00 to 24.00 hrs		00.00 to 05.00 hrs	22.00 to 24.00 hrs			
March 2021	50	100	16 to 30 June 2021	126	100	12.450	102%	2.48 (Paise/ kWh) (at the time of importing of power during the supply period)
April 2021	50		July 2021	180	140	36.580		
			August 2021	177.90	140	36.2545		
			September 2021	100	100	21.000		

KSEBL can enter into Power Procurement Arrangement with the above Utility/ Trader as approved above. A copy of that Agreement/LOI shall be filed with the Commission within 30 days of its occurrence.

2) Permit KSEBL to float the tenders for procurement of short term power (100 MW RTC & 100 MW for 14.00 to 24.00 hours) through the DEEP portal, to meet the maximum demand of power for the months of April & May, 2021, subject to compliance of the provisions of the Act and the relevant Regulations.”

69) OP No 17/2020 - Petition filed by M/s. Kosamattam Finance Limited for the approval of PPA with Kerala State Electricity Board Ltd - Order dated 27-10-2020.

M/s Kosamattam Finance Limited (KFL) on 02.06.2020 filed a petition before the Commission for the approval of draft Power Purchase Agreement (PPA) signed with KSEB Ltd for the sale of electricity generated from its 1 MW Wind Energy Generating Unit at Ramakkalmedu, Idukki District to KSEB Ltd.

The Commission issued Orders approving the draft power purchase agreement with certain changes as per Order dated 27.10.2020, with a direction to KSEB Ltd to modify the said agreement (PPA) incorporating all the suggestions and modifications approved by the Commission in the said Order.

70) OP No 5/2021- Petition filed by KSEB Ltd under section 86(1)(b) and section 63 of the Electricity Act, 2003 seeking final Orders with respect to drawal of the 350MW of the contracted power under DBFOO Bid-2 (Jindal Power Ltd-150MW, Jhabua Power Ltd.-100 MW and Jindal India Thermal Power Ltd-100MW – Order dated 20.11.2020.

KSEB Ltd filed a petition under Section 86(1)(b) and section 63 of the Electricity Act, 2003 seeking final Orders with respect to drawal of the 350MW of the contracted power under DBFOO Bid-2 (Jindal Power Ltd-150MW, Jhabua Power Ltd.-100 MW and Jindal India Thermal Power Ltd-100MW) on 12.11.2020 with the following prayer which is pending due to the reasons extracted hereunder:

Prayer:

In the light of the above submission, the Petitioner humbly request Hon'ble Commission to issue final Orders with respect to drawal of the 350 MW of contracted power under DBFOO Bid-2. (Jindal Power Ltd-150 MW, Jhabua Power Ltd-100 MW and Jindal India Thermal Power Ltd 100 MW).

Background of the case and reason for the pendency of the said petition is extracted hereunder:

Ministry of Power (MoP), Government of India has, vide Resolution No. 23/17/2011/R&/ Vol-V dated 9th November 2013, notified the Guidelines for Procurement of Electricity from Thermal Power Stations set up on DBFOO basis and also issued model documents comprising of the Model Request for Qualification (MRFQ), the Model Request for Proposal (MRFP) and the Model Power Supply Agreement (MPSA), collectively called the Model Standard Bidding Documents (MSBD) to be adopted by distribution licensees for procurement of electricity from power producers through a process of open and transparent competitive bidding based on the offer of the lowest tariff. KSEB Ltd had decided to adopt this procedure prescribed by Government of India.

KSEB Ltd has decided to invite two separate bids, for procurement of 865 MW power on DBFOO basis as detailed below.

- (i) For procuring 450MW power from December 2016 onwards for 25 years, and,
- (ii) For procuring 400MW power from October 2017 onwards for 25 years.

Accordingly, the first bid was invited on 05.03.2014 (hereinafter referred to as Bid 1) and the second bid was invited on 25.04.2014 (hereinafter referred to as Bid 2). Bid 1 was opened on 31.10.2014 and Bid 2 was opened on 14.11.2014. On 26.02.2015, the petitioner submitted copies of the signed PSAs before the Commission for adoption of tariff. Subsequently, as directed by the Commission, KSEB Ltd on 20.04.2015, (the petitioner) filed formal petition before the Commission for adoption of tariff as per Section 63 of the Electricity Act, 2003. As per para 4 of the bidding

guidelines dated 09.11.2013 the prior approval of Central Government is required for making any deviation in the standard bidding document issued along with guidelines dated 09.11.2013. However, the respondent KSEBL did not get any prior approval from Central Government for making deviation in terms of clause 3.3.3 of the RFP document issued along with bidding guidelines dated 09.11.2013. This Commission in the matter of procurement of 865 MW power for long term by KSEB Ltd. on DBFOO basis and adoption of tariff under Section 63 of the Electricity Act, 2003 in OP No.13/2015 issued an Order dated 30.08.2016 with the following directions, -

Order of the Commission

1. In view of the facts, circumstances and legal provisions explained above the Commission hereby issues the following Orders, -

- (1) The purchase of 200 MW of power by KSEB Ltd from M/s Jindal Power Ltd, New Delhi at the rate of Rs.3.60 / kWh as per the Bid -1 dated 05.03.2014 which was opened on 31.10.2014, is approved.
- (2) The purchase of 100 MW of power by KSEB Ltd from M/s Bharat Aluminium Company Ltd, Chhattisgarh at the rate of Rs.4.29/ kWh as per the Bid -2 dated 25.05.2014 which was opened on 14.11.2014, is approved.
- (3) The approval of the following purchases of power by KSEB Ltd from the bidders other than the lowest bidder (L1) will be considered on getting the approval from Government of India for the deviations from the guidelines and on getting the views from Government of Kerala on the issues raised in paragraphs 34 and 38 of this Order.

(a)	The purchase of 115 MW of power by KSEB Ltd from M/s Jhabua Power Ltd, Gurgaon at the rate of Rs.4.15/ kWh as per the Bid -1 dated 05.03.2014 which was opened on 31.10.2014.
(b)	The purchase of 100 MW of power at the rate of Rs.4.29/ kWh by KSEB Ltd from M/s Jindal India Thermal Power Ltd, New Delhi (L2) as per the Bid -2 dated 25.05.2014 which was opened on 14.11.2014.
(c)	The purchase of 100 MW of power at the rate of Rs.4.29/ kWh by KSEB Ltd from M/s Jhabua Power Limited, Gurgaon (L3) as per the Bid -2 dated 25.05.2014 which was opened on 14.11.2014.
(d)	The purchase of 150 MW of power at the rate of Rs.4.29/ kWh by KSEB Ltd from M/s Jindal Power Limited, New Delhi (L4) as per the Bid -2 dated 25.05.2014 which was opened on 14.11.2014.
(e)	The purchase of 100 MW of power at the rate of Rs.4.29/ kWh by KSEB Ltd from M/s East Coast Energy Private Limited, Andhra Pradesh (L5) as per the Bid -2 dated 25.05.2014 which was opened on 14.11.2014.

- (1) *A copy of this Order will be submitted to Government of Kerala with request to communicate their views after duly considering the relevant facts and legal provisions in view of the Government Order GO (MS) No. 45/2014/PD dated 20.12.2014 sanctioning the purchase of 865 MW of power by KSEB Ltd on DBFOO basis.*
- (2) *KSEB Ltd is directed to follow up the matter in Government of India and in Government of Kerala and to submit the results to the Commission as early as possible, considering the fact that the power purchases as per Bid-1 will have to commence with effect from December,2016.*
- (3) *All the Orders above are subject to the final decisions of the Hon'ble High Court in Writ Petition No. WP (C)33100/2014.*

There has been no request made or petitions filed before the Commission, pursuant to the directions issued in the Order dated 30-8-2016. Neither the KSEB Ltd nor any other parties challenged the said Order before APTEL. Hence the Order dated 30-8-2016 is final and binding.

The matter of approval of the balance PSAs under Bid-2 was again taken up with the GoK vide letters dated 10.05.2017, 03.07.2017 and 22.09.2017. Subsequently, GoK vide Order dated 21.10.2017 permitted KSEB Ltd to draw power from the entire DBFOO contracts, pending detailed consideration of the matter, and also stated that final Orders in the matter shall be issued in due course. Thereafter, Commission vide letter dated 22.10.2017 allowed KSEB Ltd to schedule the contracted power under DBFOO in view of the State Government Order dated 21.10.2017. The Commission further clarified that; Commission may approve the power purchase including the rate for the pending approvals under DBFOO only after State Government accords the final approval for the entire purchase under DBFOO. Based on the above the petitioner has been scheduling power from these stations and making payments to them as per the terms and conditions of the signed PSAs.

Meanwhile, KSEB Ltd has requested the Central Government to approve the deviations that they made to the standard bidding guidelines. In response, Ministry of Power, Govt. of India vide letter dated 11.12.2019 rejected KSEB Ltd.'s request stating that, *"deviations as pointed out by the KSERC would have been got vetted and approved by the Central Government before the issuance of RFQ, RFP and PSA and not at this stage. As per the Guidelines, deviations on the provisions of the bidding documents are approved, if necessary, and not the actions taken by the Utility as per practice or precedent. In view of the above, Government of Kerala/ KSEB Ltd may take action as appropriate in consultation with KSERC"*

KSEB Ltd on 31.10.2018, filed the petition for the approval of the Aggregate Revenue Requirement and Expected Revenue from Charges (ARR&ERC) for the MYT period from 2018-19 to 2021-22. In the said petition, KSEB Ltd included the scheduling of 350 MW of power from the above three DBFOO contracts. In the Order dated 08.07.2019 in OA No. 15/2018, in the matter of approval of ARR, ERC and Tariff Order for the MYT period from 2018-19 to 2021-22, the Commission

considered the scheduling of power from these stations as proposed by KSEB Ltd. However, the Commission did not approve the power purchase cost as proposed by the licensee.

The Commission vide Order dated 14.02.2020, while approving the fuel surcharge for the first quarter April-2019 to June 2019 did not approve the excess amount incurred for procuring power from the above sources. The Commission had taken a similar stand while allowing fuel surcharge for the power purchase contracts under Bid-2 of DBFOO for the first quarter of the FY 2019-20 from April 2019 to June 2019 vide the Order dated 14.02.2020 in OA 29/2019.

Similar stand was taken by the Commission while allowing fuel sur-charge for the period from July 2019 to September 2019 vide Order dated 27-04-2020 in OA No. 02/2020. Relevant portion of the Analysis and Decision of the Commission contained at para 18 of the Order is reproduced hereunder: KSEB Ltd filed Review Petitions, RP 02/2020 against the Order dated 24.02.2020 in OA 29/2019 and RP No. 04/2020 against the Order dated 27.04.2020 in OA 02/2020 before the Commission on 30.03.2020 and 04.06.2020 respectively. The Commission has rejected the Review Petitions as per common Order dated 14.08.2020.

Meanwhile, M/s Jindal India Thermal Power Ltd M/s Jindal India Thermal Power Ltd, filed the DFR No. 369/2020 before the Hon'ble Appellate Tribunal seeking mainly the following relief (s):

- a) Allow the appeal and set aside Orders passed by this Commission namely (1) dated 14.02.2020 in Petition No. OA 29 of 2019; (2) dated 27.04.2020 in Petition No. OA 02 of 2020, both read with common Order dated 14.08.2020 passed in Review petition Nos. 2 of 2020 and 4 of 2020;*
- b) Declare that the procurement of power of 100 MW capacity by Respondent No. 2 from the Appellant's power project stands approved and the tariff as stated in the Power Sale Agreement dated 29.12.2014 stands adopted in terms of Section 63 of the Electricity Act, 2003 and the guidelines issued thereunder;*

This Hon'ble Tribunal has issued an interim Order dated 06.11.2020 and in the said Order a direction was issued to this Commission to explain its position as to whether the approval of PSA dated 29.12.2014 is pending or not by filing an affidavit within ten days. In compliance of the said direction this Commission has filed an affidavit before this Hon'ble Tribunal submitting that the approval of PSA has not been kept pending before this Commission.

Meanwhile, KSEB Ltd has also filed this Petition dated 09.11.2020 before this Commission on 12.11.2020 with the following prayer:

In the light of the above submission, the Petitioner humbly request Hon'ble Commission to issue final Orders with respect to drawal of the 350 MW of contracted power under DBFOO Bid-2. (Jindal Power Ltd-150 MW, Jhabua Power Ltd-100 MW and Jindal India Thermal Power Ltd 100 MW).

The Hon'ble APTEL issued an interim Order on 20.11.2020 stayed the operation of the impugned Orders and also directing this Commission to conclude the

proceedings on the fresh petition filed by M/s KSEB Ltd expeditiously and render its decision as early as possible and to submit its status report before this Hon'ble Tribunal well in advance.

The Commission has challenged the interim Order issued by the Hon'ble Tribunal dated 20.11.2020 before the Hon'ble Supreme Court in Civil Appeal No. 41/2021. The said Civil Appeal was filed by the Commission aggrieved by the Impugned Order since the Hon'ble APTEL has erred in staying the Orders dated 14.02.2020 and 27.04.2020 passed by the Appellant Commission on the subject of fuel surcharge, and has, as an ad interim arrangement, directed that *status quo ante* be restored till the application for stay and appeal are adjudicated upon by the Hon'ble APTEL. The effect of the said Impugned Order is that the Respondent No. 2 (Kerala State Electricity Board Ltd.), being the distribution licensee for the State of Kerala, has to continue to disburse payments to Respondent No. 1 (M/S Jindal India Thermal Power Ltd.) as per the terms of the unapproved Power Purchase Agreement (PPA) dated 29.12.2014 signed between them and at a rate different from that of L1, as had been directed by the Appellant Commission. Further, two other generators (M/s. Jhabua Power Ltd and M/s. Jindal Power Ltd) who were not parties in DFR No.369/2020 were also getting payments for their un approved PPAs. Resultantly, additional burden (estimated at about Rs. 90 crores annually) would be passed on to the consumers of electricity in the State of Kerala, despite the fact that the PPAs have not been approved by the Appellant Commission as required under Section 86 (1)(b) of the Electricity Act, 2003. The Hon'ble Supreme Court has admitted the Petition and granted interim stay Order in IA No.2764/2021 on 27.01.2021.

But in view of the connected cases pending before the Hon'ble APTEL (DFR 369 of 2020) and Hon'ble Supreme Court (Civil Appeal bearing No.41/21) and the stay Order issued by the Hon'ble Supreme Court dated 27.01.2021, a final Order can be issued by this Commission on this Petition only subject to the final Order issued by the Hon'ble Supreme Court in the Civil Appeal No. 41/2021.

71) OP No 20/2020 filed by Shri M.O Thomas, Advocate for return of plaint and connected documents already submitted and refund of petition fee remitted before the Commission in O.P No.1/2019 and connected cases- Order dated 27-08-2020.

Shri. M.O. Thomas, Advocate filed a petition on 01.07.2020 for return the Original Petitions, with connected documents for enhancement of compensation and to refund of Court Fee remitted while filing OP.No.1/2019 to 29/2019 and 36/2019 to 41/2019 before the Commission. But his request to return of plaint was allowed and has rejected the claim for refund of petition fee paid to the Commission as per Order dated 27-08-2020 with following directions:

1. The petitioner's prayer to refund the statutory fee remitted by the petitioner in OP No.1/2019 to 29/2019 and 36/2019 to 41/2019 is hereby rejected.
2. The Commission hereby directs to return the Plaint and connected documents subject to the satisfaction of the conditions specified in Regulation-66 of the KSERC (Conduct of Business) Regulations, 2003.
3. There is no Order as to cost.

72) OP No. 21/2020 - Petition filed by The Chief Executive Officer, Infopark, Kakkanad, Kochi for reducing the contract demand from 3000 KVA to 2250 KVA against Kerala State Electricity Board Ltd -Order dated 18-08-2020.

The Chief Executive Officer, Infopark, Kakkanad, Kochi has filed a petition before the Commission on 03.08.2020 seeking approval of the Supplementary Power Purchase Agreement (S-PPA) for reducing the contract demand from 3000 KVA to 2250 KVA to be entered into with KSEB Ltd, for 3 MVA power at 11 kV, provisionally for 1 year from the date of signing of the agreement. The Commission approved the draft supplementary PPA submitted by M/s Infopark duly initialed by both KSEB Ltd and Infopark as per Order dated 18.08.2020 with following directions:

1. The draft Supplementary PPA submitted by M/s Infopark duly initialed by both KSEB Ltd and Infopark, Kakkanad, Kochi is hereby approved subject to the above conditions mentioned at Para 5 and 6.
2. The Commission hereby directs M/s Infopark that any modification, extension or alteration of the agreement made with KSEB Ltd shall only be made with the prior approval of the Commission. Any unilateral extension without the prior approval of the Commission shall be treated as infringement of Regulation 78 of KSERC (Terms and conditions for determination of tariff) Regulations, 2014 and appropriate action shall be initiated against the licensee. A copy of the Supplementary PPA entered between the parties shall be submitted to the Commission within one month from the date of signing of the Agreement.

73) OP No.46/2020 -Petition filed by M/s Kerala Electrical and Allied Engineering Company Limited against Kerala State Electricity Board Ltd for allowing price preference and purchase preference as per Govt Order - Order dated 30-12-2020.

M/s Kerala Electrical and Allied Engineering Company Limited a Public Sector Undertaking, fully owned by the Government of Kerala has filed a petition before the Commission on 14.12.2020 with following prayers:

- a) Issue necessary directions to KSEB Ltd to implement G.O.(Rt) No 5382/ 2020/ Fin dated 18.09.2020 with respect to all tenders including tender No. KSEB/SCMeP14/2020-21 dated 30.05.2020 for the supply of distribution transformers of various ratings of 100 KVA (2225 Nos), 160 KVA(478 Nos) and 250 KVA(76 Nos) worth nearly Rs.44 crores and future tenders issued by the KSEB Limited;
- b) Issue necessary directions to the KSEB Limited to finalise the tenders only after considering G.O.(Rt) No 5382/ 2020/ Fin dated 18.09.2020.

After carefully considering the issues as presented by the parties, the Commission issued the following direction.

KSEB Ltd. shall implement the Government of Kerala Order No. G.O (Rt) No.5382/2020/Fin dated 18.09.2020 strictly complying with the provisions of Price Preference and Purchase Preference mentioned therein.

74) OP No 49/2020 - Petition filed by the Chief Executive Officer, M/s KPUPL, Kochi against KSEB Ltd -Order dated 07-01-2021.

The Chief Executive Officer, M/s KINESCO Power and Utilities Private Limited (M/s KPUPL), filed a petition before the Commission on 22.12.2020 for approval of supplementary Power Purchase Agreement to be entered into with KSEB Limited for reduction of contract demand from 18000 KVA to 13000 KVA at 110 KV between KSEB Ltd and KPUPL in respect of Kakkanad Licensee Area for the period till 09.06.2022 from the date of signing of the Agreement.

The Commission approved the draft supplementary agreement submitted by M/s KPUPL and KSEB Ltd as per Order dated 07.01.2021 with following directions:

1. The contract demand in the PPA is reduced from 18000 KVA at 110 KV to 13000 KVA at 110 KV with effect from the date of initialing of the same by both parties.
2. The draft Supplementary Agreement submitted by M/s. KPUPL and KSEB Ltd duly initialed by both parties is hereby approved subject to the modifications suggested at Para 10.
3. A copy of the Supplementary PPA entered between the parties shall be submitted to the Commission within one month from the date of signing of the Agreement.

75) Order No. 2261/Con(Legal)/KSERC/2020 dated 31.03.2021 issued by the Commission in the Petition filed by KSEB Ltd for optimum utilization of assets of KSEB Ltd and formation of SPV, Kerala Fiber Optic Network(KFON) project.

The KSEB Ltd had filed a Petition before this Commission in the above matter of: "Petition for furnishing prior intimation in accordance with the provisions under Sections 41 and 51 of the Electricity Act, 2003 and Regulation 8, Part III General conditions- 'Other Activities of the Licensee' of Kerala State Electricity Regulatory Commission (Licensing) Regulations, 2006, for optimum utilisation of assets of KSEB Limited and formation of SPV, KFON" on 20.08.2020. The Petition was filed in compliance to the Suo motu Order No. 1129/D(T)/2018/KSERC dated 27.04.20 issued by the Commission in the matter of: Sharing the transmission and distribution assets of KSEB Ltd by a Joint Venture Company namely, Kerala Fiber Optic Network(KFON) project. In the said Order, certain directions were issued by the Commission. Relevant portion of the said Order is extracted hereunder:

25. The Commission can grant approval of the KFON project, provided the interest of KSEB Ltd is protected as a transmission licensee and distribution licensee, and it shall not put any liability on KSEB Ltd and its ultimate consumers. KSEB Ltd has to appraise these facts before the Commission. Further, for granting approval for any matter, KSEB Ltd has to file a proper petition with full supporting documents, as per the provisions of the KSERC (Conduct of Business) Regulations, 2003. The parties to the JV company, M/s Kerala State Infrastructure Limited (KSITIL) and the IT department in Government of Kerala may also be impleaded as party to the petition, and their views has to be heard

and recorded. The Commission, may grant formal approval after stakeholders' consultations, and after complying all the procedure formalities as per the provisions of the Electricity Act, 2003, Regulations notified by this Commission, and as per the prudent practices followed across the country. KSEB shall enter into JV agreement for KFON project, only after getting formal approval, and subject to the terms and conditions as may be specified in the final Order.

26. The Commission, after carefully examining the letters of the KSEB Ltd dated 10.07.2018 and 15.02.2019, for sharing the transmission and distribution assets of KSEB Ltd for the use of KFON project, and other documents and materials placed before it as per the provisions of the EA-2003, issue the following directions to KSEB Ltd for compliance.

- (i) As per the Section 14, 16, 17, 41 and 51 of the Electricity Act, 2003 along with the Licensing Regulations, 2006, KSEB Ltd has to get formal approval from the Commission, for sharing the transmission and distribution assets of KSEB Ltd by the Joint Venture Company KFON.*
- (ii) KSEB Ltd shall file a proper petition for approval for sharing the transmission and distribution assets of it, by the Joint Venture Company KFON, along with the details as specified under paragraph-4 of this Order, with all supporting documents.*
- (iii) The parties to the JV Company KFON, the Kerala State IT Infrastructure Ltd and IT department in Government of Kerala, shall be impleaded as party to the petition.*
- (iv) KSEB Ltd shall, enter into JV agreement for KFON, by sharing the transmission and distribution assets of KSEB Ltd, only after getting the formal approval of the Commission.*

But without complying the above directions, the KSEB Ltd filed the above-mentioned Petition on 20.08.2020. The Receiving Officer noted the defects and advised the Petitioner to file the petition in accordance with the Commission's directions as per his letter No.1352/D(T)/2020/KSERC/798 dated 01.10.2020 in Form 3. In their reply No. KSEB/TRAC/C(T)/38/KFON/2020-21/1195 dated 17.12.2020, the KSEB Ltd had requested that the matter along with the petition presented on 19.08.2020 may be placed before this Commission for appropriate Orders in accordance with Regulation 25 (3), of the KSERC (Conduct of Business) Regulations, 2003. Accordingly, the matter was placed before the Commission in the Meeting held on 02.03.2021. The Commission after carefully considering the entire matter in detail including the directions issued by this Commission in its Suo Motu Order No. 1129/D(T)/2018/KSERC dated 27.04.2020 has come to the conclusion that the defects noted by the Receiving Officer has to be rectified by the Petitioner KSEB Ltd and the letter issued by him dated 01-10-2020 in Form 3 is in Order. The Commission disposed the Petition as per Order dated 31.03.2021. The relevant portion of the said Order is extracted hereunder:

3.Hence, this Commission hereby reiterate its earlier decision and directions issued to the KSEB Ltd as shown below in its Suo-motu Order No. 1129/D(T)/2018/KSERC dated 27.04.2020 as extracted hereunder:

- (i) *As per the Section 14, 16, 17, 41 and 51 of the Electricity Act, 2003 along with the Licensing Regulations, 2006, KSEB Ltd has to get formal approval from the Commission, for sharing the transmission and distribution assets of KSEB Ltd by the Joint Venture Company KFON.*
- (ii) *KSEB Ltd shall file a proper petition for approval for sharing the transmission and distribution assets of it, by the Joint Venture Company KFON, along with the details as specified under paragraph-4 of this Order, with all supporting documents.*
- (iii) *The parties to the JV Company KFON, the Kerala State IT Infrastructure Ltd and IT department in Government of Kerala, shall be impleaded as party to the petition.*
- (iv) *KSEB Ltd shall, enter into JV agreement for KFON, by sharing the transmission and distribution assets of KSEB Ltd, only after getting the formal approval of the Commission.*

This Commission also hereby directs the KSEB Ltd to rectify the defects pointed out by the Receiving Officer as per his letter No.1352/D(T)/2020/KSERC/798 dated 01.10.20 in Form 3 and to file a proper petition for approval in tune with the Commission's Suo-motu Order No.1129/D(T)/2018/KSERC dated 27.04.2020.

14. APPLICATION OF INFORMATION TECHNOLOGY

The Office of the Commission is equipped with local area network and all officers are provided with internet services. The Commission has a website (www.erckerala.org) and it is regularly updated with various Orders, regulations, notices issued, minutes of meetings, etc.

15. ASSOCIATION WITH OTHER BODIES

i. Forum of Regulators (FOR):

Government of India has as per the provisions of the Electricity Act, 2003 had constituted a body named Forum of Regulators comprising of chairpersons of Central Electricity Regulatory Commission and State Electricity Regulatory Commissions. KSERC is a member of the Forum of Regulators and is actively attending the activities of the proceeding of the Forum. FOR undertakes analysis of the tariff Orders and other Orders of Central Commission and State Commissions and compilation of data arising out of the said Orders, highlighting, especially the efficiency improvements of the utilities; harmonisation of regulation in the power sector, sharing information among its members, laying standards of performance of licensees, and evolving measures for protection of interest of consumers and promotion of efficiency, economy and competition in power sector.

The Commission is an active participant in the proceedings of FOR. FOR has established a Technical Committee headed by the Chairperson of the KSERC for Implementation of Framework on Renewables and formulating protocols and agreement for aggregators of renewable energy generation. In the working group of "Evolving

Rights of Rates for Distribution Assets, Written on Investment, and Operating Norms on Distribution Sector”, the Chairman is also one of the six members in the Committee.

The details of meetings conducted by FOR is furnished below.

1. 71st Meeting of FOR on 11th, 15th & 18th May and 2nd June 2020. The Chairman attended the Meeting.
2. 72nd Meeting of FOR on 17th August 2020 on Consumer Protection in Electricity Sector.
3. 73rd Meeting of FOR on 21st & 29th September 2020. The Chairman attended the Meeting.
4. Special Meeting of FOR on 16th October 2020.
5. FOR Meeting on Remedial Measures to improve the financial health of the Distribution Companies held on 19th October 2020. The Chairman attended the meeting and in his speech it was disclosed that Kerala has issued its Tariff Order for 2020-21 and the trajectory for loss reduction has been given for next four years.
6. Special Meeting of FOR held on 27th February 2021 on Electricity Amendment Bill 2021.
7. Meeting of the Hon’ble MOS (ic) for Power and MNRE with FOR regarding amendment in Electricity Act, 2003 and implementation of Electricity (Rights of Consumers) Rules 2020 held on March 2021 at New Delhi.
8. In the online training programme on protection of consumer interests organized by Forum of Regulators, Chairpersons of CGRF (Central) and Southern Region and Secretary, office of Electricity Ombudsman were attended.

ii. Southern Electricity Regulatory Forum (SERF) is a forum constituted for interaction among the Regulatory Commissions of the Southern States of Andhra Pradesh, Karnataka, Tamil Nadu, Telangana and Kerala. The objective of the forum is to discuss the common issues, problems and proposals of the five States.

iii. South Asia Forum for Infrastructure Regulation (SAFIR)

SAFIR is an association of the Regulators in the field of infrastructure from SAARC countries. 26th Steering Committee Meeting (SCM) of South Asia Forum for Infrastructure Regulation (SAFIR) was conducted on 28th August 2020.

16 CONSUMER GRIEVANCE REDRESSAL FORUM (CGRF)

The Electricity Act, 2003 requires that every distribution licensee shall establish a forum for redressal of the grievances of consumers. All the licensees have established the forum under sub-section (5) of Section 42 of the Act with the following officers as the Chairpersons:

Sl.No	Name of Licensee	Redressal Forum
1	Kerala State Electricity Board Limited	<p>(1) Southern Region: Deputy Chief Engineer (Ele), Consumer Grievance Redressal Forum, KSEB Ltd., Vydhyuthi Bhavanam, Kottarakkara – 691 506</p> <p>(2) Central Region: Deputy Chief Engineer (Ele) Consumer Grievance Redressal Forum, KSEB Ltd., 220 kV Substation Compound, HMT Colony P.O., Kalamassery- 683 503.</p> <p>(3) Northern Region: Deputy Chief Engineer (Ele), Consumer Grievance Redressal Forum, KSEB Ltd., Vydhyuthi Bhavanam, Beach Road, Kozhikode.</p>
2	Cochin Port Trust	The Deputy Chief Mechanical Engineer, Consumer Grievance Redressal Forum Cochin Port Trust, W.Island, Cochin – 682 003
3	Kanan Devan Hills Plantations Company Private Limited	Executive (Engineering Department), Consumer Grievance Redressal Forum, KDHPC, Munnar Workshop Munnar – 685 612
4	Technopark, Thiruvananthapuram	Chief Executive Officer Consumer Grievance Redressal Forum Technopark, Technopark Campus Thiruvananthapuram – 695 581
5	Cochin Special Economic Zone Authority, Cochin	Assistant Development Commissioner, Consumer Grievance Redressal Forum, Cochin Special Economic Zone, Ministry of Commerce and Industry, Government of India, Kakkanad Cochin – 682 037
6	Rubber Park India Private Limited, Cochin	Managing Director, Consumer Grievance Redressal Forum Rubber Park India Pvt. Ltd, 2A, Kautileeyam Rubber Park, Valayanchirangara, Ernakulam
7	KINESCO, Cochin	The Chief Executive Officer, Consumer Grievance Redressal Forum KINESCO Power Utilities Limited IX/159 A, Kusumagiri P.O., Kakkanad, Cochin-30
8	Thrissur Corporation Electricity Department	Electrical Engineer, Consumer Grievance Redressal Forum Thrissur Corporation, Thrissur.

The CGRFs consist of three members including the Chairperson. Of the three members, two members are appointed by the licensees and the third member is nominated by the Commission. The following are the members of various CGRFs.

Sl.No	Name of CGRF	Name of Chairperson (Nominated by Licensee)	Name of Member (Nominated by Licensee)	Name of Member (Nominated by SERC)
1	Northern Region (KSEB Ltd)	Smt. Beena Gopinath.S.	Smt. Lekha Rani. R	Shri. Robin Peter
2	Central Region (KSEB Ltd)	Smt. Soudamini. B	Smt. Mini Francis.	Adv. Jefrin Manual
3	Southern Region (KSEB Ltd)	Shri. Sudheer,G.	Shri. Soni, G.	Adv. M. Sabu
4	Thrissur Corporation	Shri. Jose.T.S.	Shri.C. Shanmukhan.	Shri. Jinju Jose
5	Technopark	Shri. John. M. Thomas	Shri.Madhavan Praveen	Shri. Nissam
6	Kanan Devan Hills Plantations Company (Pvt) Ltd.	Shri. R.Jeyaraman	Shri.Nithin Babu	Vacant
7	Cochin Port Trust	ShriJose.C.Kappen	Shri.Bhagyanath.B.	Adv. Jefrin Manual
8	Rubber Park India (Pvt) Ltd	Shri.Biju Paulose	Shri. Aneez T.M.	Adv. Jefrin Manual
9	Cochin Special Economic Zone Authority (CSEZA)	Shri.Ramakrishnan	Shri.Ajayakumar.K.N	Adv. Jefrin Manual
10	KINESCO Power and Utilities Private Limited (KPUPL)	Shri.Mathew. A.George	Smt.Sreedevi.S	Adv. Jefrin Manual
11	Infopark	Shri.Vijayan V.R	Shri.Arun.S	Adv. Jefrin Manual

A summary of the petitions received and disposed of by the various CGRFs during 2020-21 is given below.-

No. of petitions received and disposed of by the various CGRFs						Number of sittings during the year
Name of the CGRF	No. of petitions					
	Pending as on 1-4-2020	Received during 2020-21	Disposed during 2020-21	Pending as on 31-3-2021	Disposed in favor of consumers	
CGRF, Kottarakkara	16	109	94	31	59	88
CGRF, Ernakulam	26	97	106	17	73	93
CGRF, Kozhikode	35	168	151	52	99	56
CGRF, Thrissur Corporation, Thrissur	4	5	6	3	2	9
CGRF, Technopark, Trivandrum	1	Nil	Nil	1	-	1
CGRF, Cochin Port Trust, Kochi	Nil	Nil	Nil	Nil	Nil	Nil
CGRF, KPUPL, Kochi	Nil	Nil	Nil	Nil	Nil	Nil

CGRF, CSEZA, Kochi	Nil	Nil	Nil	Nil	Nil	Nil
CGRF, Rubber Park India (P) Ltd, Kochi	Nil	Nil	Nil	Nil	Nil	Nil
CGRF, Infopark, Kochi	Nil	Nil	Nil	Nil	Nil	Nil
CGRF, KDHPCL, Munnar	Nil	Nil	Nil	Nil	Nil	Nil

17. ELECTRICITY OMBUDSMAN

Electricity Ombudsman is a statutory authority appointed by the Commission under sub-section (6) of Section 42 of the Electricity Act, 2003, to settle grievances of consumers, aggrieved by non-redressal of their grievances by the Consumer Grievance Redressal Fora. Shri.A.S.Dasapan continued as Ombudsman. The Office of the Electricity Ombudsman is located at Pallikkavil Building, Mamangalam – Anjumana Temple Road, Opp. Corporation Regional Office, Edappally, Kochi 682 024 (Phone : 0484-2346488). Abstract of the petitions received and disposed of during the year under report is given below.

Sl.No	Particulars	No of petitions	
1	Petitions pending as on 01.04.2020	17 Appeals	-
2	Petitions received during 2020-21	52 Appeals	2 Reviews
3	Petitions disposed during 2020-21	41 Appeals	2 Reviews
4	Petitions pending as on 31.3.2021	28 Appeals	-
5	Petitions disposed in favor of the consumers	27 Appeals	1 Review
6	Number of sittings during the year	48	

18. COMPLIANCE OF THE ELECTRICITY ACT 2003 AND THE RULES AND REGULATIONS MADE THEREUNDER.

As provided in clause 19 of part III of the Licensing Regulation, 2006, the conditions of licence for distribution licensees, for monitoring the compliance of the provisions of the Act, Rules and Regulations and Orders, by the licensees, a Compliance Examiner has been appointed by the Commission. Violations by the licensees are being strictly monitored. Inspections to verify compliance and initiating penal action for non-compliance are one of the main functions of the Compliance Examiner.

The compliance wing conducts spot inspections in the distribution section offices of KSEB Ltd and other licensees in the State and corrective actions are also taken up with the licensees. Discriminatory billing of consumers, realisation of higher amounts as additional deposits, delay /denial of payment of interest on security deposit to consumers, discrepancies in tariff allocation, realisation of excess charges for service connection, non adherence of the performance standards are a few of the irregularities brought to the attention of the Commission by the Compliance Examiner are taken up with the licensees for corrective actions.

Consumer Advocacy Cell (CAC)

Consumer Advocacy Cell is formed for creating awareness among the consumers about the power sector and the regulatory process thereby ensuring consumer participation in the electricity regulatory process. Compliance Examiner is entrusted with the responsibilities relating to consumer advocacy, consumer protection and awareness initiatives of the Commission. Consumer Advocacy Cell also monitors the functioning of the Ombudsman and CGRFs.

Objectives of CAC

1. to empower consumers to participate effectively in the regulatory process.
2. to act as a clearing house of information to consumers on electricity issues
3. to arrange workshops and training programs for consumer groups.
4. to publish pamphlets and other informative materials.

To achieve the above objectives, meetings were held with voluntary organisations, resident associations and other consumer groups at various places with a view to forming consumer fora across the state to interact with ordinary consumers in their area. In addition to the above activities, complaints of general nature received from consumers/ consumer groups were taken up appropriately with the concerned officials of the licensees and settled. The Commission has also engaged Junior Consultants (Consumer Advocacy) for conducting inspections in various sections across the State.

The Government of Kerala declared lock down in the entire State and many restrictions and containment activities were imposed to prevent the wide spread of COVID -19. Due to the restriction and containment activities, the Commission did not conduct inspections in various sections across the State.

Files pending in 2020-21

Sl.No	Petition No. with date	Name of petitioner	Name of respondent	Subject	Remarks
1	CP 02/2018 25.04.2018	Shri.George Antony, Pothanikat House, Kothamangalam.	KSEB Ltd	Non -compliance of Electricity Ombudsman Order dated. 29-12-2017 in appeal Petition No.P/103/2017	File kept in abeyance till disposal of WP(C)No.29261/18 pending before the Hon,ble High Court of Kerala
2	CP 03/2018 23.04.2018	Smt K.G. Sujatha, Kandathil Veedu, Punnamada,Avaluk unnu.P.O, Alappuzha-688006	KSEB Ltd	Non-Compliance of CGRF (C) Order dated. 20.01.2018 in O.P No.50/2017-18	File kept in abeyance till disposal of WP(C)No.20156/18 pending before the Hon,ble High Court of Kerala

3	CP 03/2019 16.10.2018	Shri.Manoj Shenoy C/o,Tata Consultancy Services Ltd, Passport Seva Kendra, Meempatt Mall, Moonampadi, Malappuram District.	KSEB Ltd	Non-Compliance of CGRF (N) Order dated. 20.08.2018 in O.P No.11/2018-19	File kept in abeyance till disposal of WP(C)No.17224/ 2019 pending before the Hon,ble High Court of Kerala
4	CP.1/2019 06.02.2019	Mohan Rajan, Divan P.V.C Pipes,Villoonni.P.O Kottayam	KSEB Ltd	Non -compliance of Electricity Ombudsman Order dated 26.11.2018 in appeal Petition No.P/075/2018	File kept in abeyance till disposal of WP(C)No.16629/ 2019 pending before the Hon,ble High Court of Kerala
5	CP 01/2017 03.04.2017	M/s. Capithan Exporting Company,Port Road , Sakthikulangara, Kollam	KSEB Ltd	Non-Compliance of CGRF (S) Order dated. 07.12.2015 in O.P No.1532/2015	File kept in abeyance till disposal of WP(C)No.19254/ 2017 pendingbefore the Hon,ble High Court of Kerala
6	CP 02/2017 24.08.2017	Shri.G.Ravindran Nair, General Manager,Mata Amrithanandamayi Matha Medical & Research Centre Kochi.	KSEB Ltd	Non -compliance of ElectricityOmbudsma nOrder dated 29.05.2017 in appealPetition No.P/005/2017	File kept in abeyance till disposal of WP(C)No.2995/2 017 pending before the Hon,ble High Court of Kerala

19. ENGAGEMENT OF AUDITORS

M/s. Krishna Nayagam and Associates were the internal auditors for auditing the accounts of the Commission for 2020-2021.

20. IMPLEMENTATION OF THE RIGHT TO INFORMATION ACT

Following officers have been designated as Public Information Officers during 2020-21.

- i. **Public Information Officer**
Shri.K.Jayaprakash, Accounts officer till 29.11.2020 &
Shri.G.Gopakumar, Accounts officer from 30.11.2020.
- ii. **Assistant Public Information Officer**
Smt.P.G. Sreedevi,Conf.Assistant
- iii. **Appellate Authority**
Shri.C.R.Satheesh Chandran, Secretary i/c.

28 petitions under the Right to Information Act, 2005 were received and all of them were disposed of during the period under report.

21. LEGAL MATTERS

In the High Court of Kerala, 130 cases are still pending of which the Commission is arrayed as one of the parties. During 2020-2021, 29 Writ Petitions were filed before the Hon'ble High Court of Kerala in which the Commission has been arrayed as a respondent. Out of this, the KSEB Ltd. filed 18 cases arraying the Commission as respondent. Out of these 18 cases, the Commission is arrayed as 1st respondent in 11 cases.

Name and Address of the Standing Counsels in the Hon'ble High Court:

Adv. V.J. Mathew (Senior Counsel)

Adv. Vipin. P. Varghese

M/s V.J. Mathew & Co.,

International Law Firm, Level 2, Johnsara's Court,

Giri Nagar North, Kadavanthra,

Cochin, Kerala-682020

Before the Hon'ble APTEL, 23 cases are still pending of which the Commission is arrayed as one of the respondents. During 2020-2021, two Appeals were filed before the Hon'ble APTEL of which the Commission is arrayed as respondent. Out of which one case bearing No. DFR 369 of 2020 was filed by M/s Jindal India Thermal Power Ltd challenging the Commission's Orders dated 14.02.2020 in OA. No.29/2019, Order dated 27.04.2020 in OA No.2/2020 and Common Order dated 14.08.2020 in RP. No 2/2020 and 4/2020. The Hon'ble APTEL stayed the operation of the above Orders issued by the Commission as per interim Order dated 20.11. 2020. But the said Order was challenged by this Commission in Civil Appeal No.41of 2021 and the Supreme Court granted stay as per interim Order dated 27.01.2021.

Name and Address of the Standing Counsel in the Hon'ble APTEL:

Adv. Shashwat Singh,

D-246, Third Floor,

Defence Colony,

New Delhi-110024

Before the Hon'ble Supreme Court, 11 Nos of Civil appeals/ Special Leave Petitions are still pending of which the Commission is arrayed as a party. During 2020-2021, the Commission filed a Civil Appeal bearing No.41/21 before the Hon'ble Supreme Court challenging the Order issued by the Hon'ble APTEL, New Delhi in DFR No. 369/2020 dated 20.11.2020.

Name and Address of the Standing Counsel in the Hon'ble APTEL:

Adv. Dhananjaya Mishra,

Advocate on Record,

Supreme Court of India, New Delhi,

D-222, 3rd Floor, Defence Colony, New Delhi-110024.

22. FINANCE AND ACCOUNTS

The Annual Accounts of the Commission, for the year 2020-21 (yet to be audited by the Accountant General) is at Annexure-II.

Separate Audit report of the Comptroller and Audit General of India on the Accounts for the year 2019-20 is at Annexure III

23. COVID – 19 Pandemic

1. The COVID-19 pandemic, also known as the Corona virus pandemic, is an ongoing pandemic of Corona virus (COVID-19) caused by severe acute respiratory syndrome Corona virus 2 (SARS-CoV-2). The disease was first identified in December 2019 in Wuhan, Hubei, China. The outbreak was declared as Public Health Emergency of International Concern by the World Health Organisation (WHO) in January 2020, and was recognised as a pandemic in March 2020.
2. As a part of containment activities to prevent the wide spread of COVID -19, Government of Kerala declared lock down in the entire State for one week with effect from 24.03.2020 and following this Government of India has also issued lockdown Orders up to 14.04.2020 which is again extended up to 03.05.2020.
3. On 22.03.2020 itself, as part of 'Break the Chain' Campaign, a new wash basin and hand wash materials were provided in the front of Commission office. Besides this, hand sanitizers were also provided in the reception area and the Security men were instructed to ensure that all staff and visitors shall enter the office premises only after proper sanitization.
4. In response to the appeal to make contributions to the CMDRF, the Commission contributed Rs.1.50 Crores. This contribution was mentioned by the Hon'ble Chief Minister in his daily Press Meet on 03.04.2020.
5. The entire building and compound of Kerala State Electricity Regulatory Commission was disinfected with the help of Kerala Fire and Rescue Services Department on 20.04.2020 and by Kerala Electrical and Allied Engineering Company Ltd, Edarikode on 20.03.2021.
6. In the Commission meeting held on 27.04.2020, the Commission decided to contribute financial aid to the CMDRF from the pay and allowances of the members of the Commission and staff and for its remittance in the special TSB account as per the Government direction. As such, an amount of Rs. 16,04,725/- was credited to TSB account till August 2020. Our Hon'ble Chairman has also contributed one month salary which amounts to Rs. 2,13,331/- to CMDRF.
7. Due to the Covid-19 pandemic, the Commission's public hearing had to be discontinued in March 23, 2020 due to lockdown. This situation continued for the next few months. Keeping this in mind, the Commission initiated steps in the month of May for providing video hearing facility with the help of BSNL, State IT Mission and KELTRON and within a short span of time.
8. Commission recommenced the conduct of public hearings through video conference mode from the first week of June. A total of 111 hearings were conducted during this period.
9. A COVID-19 Cell has been constituted in the Kerala State Electricity Regulatory Commission as instructed by the Government.
10. In short, the Kerala State Electricity Regulatory Commission is scrupulously following all the instructions issued in connection with containment activities and to prevent the spread of COVID -19.

Annexure-I

List of proceedings / hearings held by the Commission during 2020-21

Sl.No.	Date & Time	Venue	Subject
1	08.06.2020 11:00 AM	Video Conferencing	OP No. 31/2019 – Petition filed by Southern Railway in the matter of No Objection Certificate for open access to Railways. Petitioner : Southern Railway Respondent : KSEB Ltd
2	08.06.2020 12:00 Noon	Video Conferencing	OP No. 10/2020 – Petition for amending contain clauses in the EHT & HT service connection agreement of KMRL with KSEBL
3	09.06.2020 11:00 AM	Video Conferencing	OP No. 09/20 – petition for granting approval for modified bid documents for 200MW solar power by KSEB Ltd.
4	09.06.2020 12:00 Noon	Video Conferencing	OA 11/2020 – Truing up of Accounts for 2018-19 Petitioner : TCED
5	10.06.2020 11:00 AM	Video Conferencing	OP No. 56/2019 – Petition for approval of the draft Power Purchase Agreement initiated by KSEB Ltd and M./s. Hydro Power, Kothamangalam for 50 kW (25kW x2) Deviar Micro Hydro Electric Project (DMHEP), Idukki District Petitioner : M/s. Hydro Power Respondent : KSEB Ltd
6	10.06.2020 12:00 Noon	Video Conferencing	OP No. 11/2020 – Petition filed under Section 142 of Electricity Act, 2003, read with works of Licensees Rules 2006 Petitioner : Shri. Abdul Kadar Respondent : KSEB Ltd
7	12.06.2020 11:00 AM	Video Conferencing	OP No. 64/2019 – petition filed by KSEB Ltd based on the direction of the Commission in the order dated 14.09.2018 on the Truing up of accounts for 2016-17
8	15.06.2020 11:00 AM	Video Conferencing	OP Nos. 01/2019 to 29/2019 and 36/2019 to 41/2019 – Tree cutting compensation petitions filed by Shri. P.M. Thomas and 34 others

9	15.06.2020 02:30 PM	Video Conferencing	OP No. 13/2020 – Petition for waiver of interest on delayed payment Petitioner : BSNL Respondent : 1. KSEB Ltd 2. Thrissur Corporation
10	17.06.2020 11:00 AM	Video Conferencing	OP No. 12/2020 – petition seeking permission for providing feeder to Cochin Shipyard Ltd Petitioner : Cochin Port Trust Respondent : Cochin Shipyard Ltd
11	17.06.2020 02:30 PM	Video Conferencing	OP No. 14/20 – Petition for single point power supply and sharing of electricity charges as per clause 56 of Kerala Electricity Supply Code 2014 Petitioner : BSNL Ltd Respondent : KSEB Ltd
12	19.06.2020 11:00 AM	Video Conferencing	OP No. 15/2020 – Petition seeking approval for entering into swap transactions for managing the unexpected energy crisis Petitioner : KSEB Ltd
13	22.06.2020 11:00 AM	Video Conferencing	OA No. 8/2020 petition filed by M/s. KPUGL for the approval of ARR & ERC for 2018-19 to 2021-22
14	22.06.2020 12:00 Noon	Video Conferencing	OA No. 27/2019 – Truing up of Accounts for 2015-16 Petitioner : KPUGL Respondent : KSEB Ltd
15	22.06.2020 02:30 PM	Video Conferencing	OA No. 28/2019 – Truing up of Accounts for 2016-17 Petitioner : KPUGL Respondent : KSEB Ltd
16	24.06.2020 11:00 AM	Video Conferencing	OP No. 16/2020 – Petition for approval of capital investment for the year 2012-13 to 2016-17 Petitioner : M/s. Technopark Respondent : KSEB Ltd
17	30.06.2020 11:00 AM	Video Conferencing	OP No. 19/2020 – Petition for approval of relief to be extended to consumers. Petitioner : KSEB Ltd
18	10.07.2020 11:00 AM	Video Conferencing	OA No. 07/2020 – Fuel Surcharge for the period from October to December 2019 Petitioner : KSEB Ltd

19	10.07.2020 12:00 Noon	Video Conferencing	OA No. 10/2020 – Fuel Surcharge for the period from January 2020 to March 2020 Petitioner : KSEB Ltd
20	13.07.2020 11:00 AM	Video Conferencing	Truing Up of accounts for the FY 2015-16 based on the order of Hon'ble APTEL dated 18.06.2020 on Appeal No. 114/2018 Petitioner : Rubber Park India (P) Ltd
21	14.07.2020 11:00 AM	Video Conferencing	OA No. 12/2020 – Petition for Truing up of accounts for the FY 2017-18 Petitioner : Technopark Respondent : KSEB Ltd
22	15.07.2020 11:00 AM	Video Conferencing	RP No. 02/2020 Review Petition against order dated 24.02.2020 in OA 29/2019 on fuel surcharge petition for 4/2019 to 6/2019 Petitioner : KSEB Ltd
23	16.07.2020 11:00 AM	Video Conferencing	RP No. 04/2020 – Review petition against order dated 27.04.2020 in OA No. 02/2020, fuel surcharge petition. Petitioner : KSEB Ltd
24	17.07.2020 11:00 AM	Video Conferencing	OP No. 18/2020 – Petition for refund of 20% of Registration fees Petitioner : CIAL Respondent : KSEB Ltd
25	17.07.2020 12:00 Noon	Video Conferencing	RP No. 03/2020 – Review Petition against order dated 23.04.2020 in OP No. 02/2020. Petitioner : TCED Respondent : KSEB Ltd
26	22.07.2020 11:00 AM	Video Conferencing	OA No. 11/2020 – Truing up of accounts for the Financial year 2018-19 Petitioner : TCED Respondent : KSEB Ltd
27	04.08.2020 11:00 AM	Video Conferencing	OP No. 21/2020 – Petition for approval of supplementary PPA for reduction of contract. Petitioner : Infopark Respondent : KSEB Ltd
28	05.08.2020 11:00 AM	Video Conferencing	RP No. 05/2020 – Review of order dated 24.04.2020 in OA 30/2019 Order on determination of compensatory tariff for rehabilitation of Iruttukanam SHPP destroyed in

			the Mahapralayam 2018 – M/s. Viyyat Power Pvt Ltd Petitioner : M/s. Viyyat Power Pvt Ltd Respondent : KSEB Ltd
29	07.08.2020 11:00 AM	Video Conferencing	OP No. 18/2020 – Approval of Power Purchase Agreement (PPA) of M/s. Kosamattom Finance with KSEB Ltd Petitioner : Kosamattom Finance Ltd Respondent : KSEB Ltd
30	11.08.2020 11:00 AM	Video Conferencing	OA No. 07/2020 – Fuel Surcharge for the period October 2019 to December 2019 Petitioner : KSEB Ltd
31	11.08.2020 11:00 AM	Video Conferencing	OA No. 10/2020 – Fuel Surcharge for the period January 2020 to March 2020 Petitioner : KSEB Ltd
32	13.08.2020 11:00 AM	Video Conferencing	OP No. 18/2020 – Requesting appropriate decision on the balance 20% of the registration fee by KSEB Ltd for getting grid connectivity for its 12 MWp Solar PV plant – Cochin International Airport Ltd Petitioner : CIAL Respondent : KSEB Ltd
33	19.08.2020 11:00 AM	Video Conferencing	OP No. 19/2020 – Approval of reliefs extended to various categories of consumers in the State due to lock-down restrictions imposed by the Government to curb the spread of Covid – 19 pandemic Petitioner : KSEB Ltd
34	21.08.2020 11:00 AM	Video Conferencing	One Time Settlement petition filed by KSEB Ltd Petitioner : KSEB Ltd
35	08.09.2020 11:00 AM	Video Conferencing	OA No. 14/2020 – Additional Capital Investment Plan – M/s Rubber Park India Ltd Petitioner : RPIL Respondent : KSEB Ltd
36	16.09.2020 11:00 AM	Video Conferencing	Judgement of Hon'ble APTEL No. 114/2018 – Truing up of accounts for the FY 2015-16 – M/s. Rubber Park India Lt Petitioner : M/s. RPIL Respondent : KSEB Ltd

37	17.09.2020 11:00 AM	Video Conferencing	OA No. 8/2020 petition filed by M/s. KPUGL for the approval of ARR & ERC for 2018-19 to 2021-22 Petitioner : KPUGL Respondent : KSEB Ltd
38	23.09.2020 11:00 AM	Video Conferencing	OP No. 17/2020 – Petition for approval of Power Purchase Agreement Petitioner : Kosamattom Finance Ltd Respondent : KSEB Ltd
39	24.09.2020 11:00 AM	Video Conferencing	One Time Settlement-KSEB Ltd Petitioner : KSEB Ltd
40	29.09.2020 11:00 AM	Video Conferencing	Review Petition for new 110 kV sub station at Kottapuram with Delay condonation petition against order in OP 11/17 Petitioner : TCED Respondent : KSEB Ltd
41	30.09.2020 11:00 AM	Video Conferencing	Providing Generation Based incentive (GBI) for off grid generators –extension of order dated 30.09.2014 Petitioner : KSEB Ltd
42	06.10.2020 11:00 AM	Video Conferencing	OA No. 15/2020 – Fuel Surcharge for the period April 2020 to June 2020 Petitioner : KSEB Ltd
43	15.10.2020 10:30 AM	Video Conferencing	OA No. 06/2020 – petition for determining tariff for the electricity generated from waste to energy project. Petitioner : M/s. MWM (P) Ltd Respondent : KSEB Ltd
44	14.10.2020 11:00 AM	Video Conferencing	OP No. 26/2020 – Petition for PPA approval between Kasargod Solar Park with THDC India Ltd and KSEB. Petitioner : THDC India Ltd Respondent : KSEB Ltd
45	28.10.2020 11:00 AM	Video Conferencing	OP No. 22/2020, OP No. 24/2020, OP No. 25/2020 – Petition for relief to fixed charges and also for Industrial Tariff to Telecom Services Petitioner : 1. M/s. Vodafone India Ltd. 2. M/s. Indus Towers Ltd 3. M/s. ATC Telecom Ltd Respondent : KSEB Ltd

46	03.11.2020	Video Conferencing	OA No. 16/2020 – Petition for Truing up of Accounts for the FY 2018-19 Petitioner : M/s. Technopark
47	04.11.2020 11:00 AM	Video Conferencing	OP No. 29/2020 – Petition for clarifications filed under Section 86 of the Electricity Act 2003 for newly installed 2 MW solar power plant at Kalamassery Petitioner : M/s. Hindalco Industries Ltd Respondent : KSEB Ltd
48	17.11.2020 11:00 AM	Video Conferencing	OA 15/2018 – Capital Expenditure of SBU (Transmission) KSEB Ltd Petitioner : KSEB Ltd
49	18.11.2020 11:00 AM	Video Conferencing	OP 31/2020 – Petition seeking interim order for approval for procurement of 200 MW solar photo voltaic projects through Solar Energy Corporation of India Ltd on long term basis Petitioner : KSEB Ltd Respondent : SECI
50	19.11.2020 11:00 AM	Video Conferencing	OA No. 18/2020 – Petition for truing up of accounts for the FY 2017-18 – M/s. Infopark Petitioner : M/s. Infopark
51	19.11.2020 12:00 Noon	Video Conferencing	OA No. 19/2020 – Petition for Truing Up of Accounts for the FY 2018-19 Petitioner : Infopark
52	24.11.2020 11:00 AM	Video Conferencing	OA No. 17/2020 – Petitions filed for truing up of accounts for the FY 2018-19 – M/s. CSEZA Petitioner : M/s. CSEZA
53	25.11.2020 11:00 AM	Video Conferencing	OP No. 30/2020 – Petition filed by M/s. Thrissur Corporation Electricity Department for approval of relief extended to various consumer categories of M/s. TCED due to the lock down restrictions Petitioner : M/s. TCED Respondent : KSEB Ltd
54	30.11.2020 11:00 AM	Video Conferencing	OP No. 36/2020 – Approval of street light tariff and rate for providing connection during festival season 2020-21 at Sabarimala Petitioner : KSEB Ltd

55	30.11.2020 12:00 Noon	Video Conferencing	OP No. 38/2020 – Petition on prior intimation in the matter of KSEBL taking the role of SPV for the execution of NILAAVU – scheme Petitioner : KSEB Ltd
56	01.12.2020 11:00 AM	Video Conferencing	OP 26/2020 – Petition for approval of PPA between THDC and KSEB Ltd with regard to the Solar Park at Kasargod. Petitioner : THDC India Limited Respondent : KSEB Ltd
57	02.12.2020 11:00 AM	Video Conferencing	OP 29/2020 – Petition for clarifications filed under Section 86 of the Electricity Act, 2003 for newly installed 2 MW solar power plant at Kalamassery. Petitioner: M/s Hindalco Industries Respondent : KSEB Ltd.
58	03.12.2020 11:00 AM	Video Conferencing	OP 32/2020 – Petition for seeking exemption from the installation of Special Energy Meters at drawal points. Petitioner : M/s Bharath Charitable Hospital Society. Respondent : KSEB Ltd.
59	09.12.2020 11:00 AM	Video Conferencing	OA 20/2020 – Petition on 'Proposal to recover the additional cost incurred during the period July 2020 to September 2020 over approved level on Generation and Power purchase due to variation in cost of fuel, from all consumers including and other Licensees. Petitioner : KSEB Ltd.
60	10.12.2020 11:00 AM	Video Conferencing	OP 33/2020 – Petition for seeking approval for modifying the terms for the agreement entered between KSEB Ltd and INDSIL Petitioner : KSEB Ltd Respondent : INDSIL
61	11.12.2020 11:00 AM	Video Conferencing	OP 31/2020 – Petition seeking interim order for approval for procurement of 200 MW solar photo voltaic projects through SECI on long term basis. Petitioner: KSEB Ltd. Respondent : SECI

62	15.12.2020 11:00 AM	Video Conferencing	OP 39/2020 – Petition for adoption of tariff for the procurement of 200 MW Solar Power from ground mounted solar power plants, discovered through tariff based competitive bidding on all India basis – KSEB Ltd. Petitioner : KSEB Ltd Respondents : 1. M/s NTPC Ltd. 2. M/s TATA Power Company Ltd.
63	16.12.2020 11:00 AM	Video Conferencing	OP 35/2020 – Petition for Truing up of accounts for the financial year 2018-19 – M/s Rubber Park India Private Limited. Petitioner : Ms RPIL
64	17.12.2020 11:00 AM	Video Conferencing	OP 34/2020 – Petition for Truing up of accounts for the financial year 2017-18 – M/s KINESCO Power and Utilities Pvt Ltd. Petitioner : Ms KPUPL
65	21.12.2020 11:00 AM	Conference Hall, Cochin Special Economic Zone	OP 43/2020 – Approval of refund of excess revenue collected by CSEZA from consumers on account of excess energy billed for the period from 2007-08 to 2013-14. Petitioner : M/s Cochin Special Economic Zone Authority (CSEZA)
66	22.12.2020 11:00 AM	PWD Rest House, Pathadipalam, Kalamassery	OA 15/2018 – Petition for capital expenditure. Petitioner : KSEB Ltd
67	22.12.2020 02:00 PM	PWD Rest House, Pathadipalam, Kalamassery	OA 09/2020 – Truing up of Accounts for 2017-18 Petitioner : KSEB Ltd
68	23.12.2020 11:00 AM	Video Conferencing	OA No. 18/2020 – Petition for Truing up of Accounts for FY 2017-18 Petitioner : Infopark
69	28.12.2020 11:00 AM	Video Conferencing	OP 40/2020 – One Time Settlement 2021 Petitioner : KSEB Ltd.
70	29.12.2020 11:00 AM	Video Conferencing	OP 37/2020 – Petition for expenses for electric connection–petition filed in compliance of the judgment of the Hon'ble High Court dated 16.10.2018 WA No. 1448 and 1482 of 2017. Petitioner : KSEB Ltd.

71	30.12.2020 11:00 AM	Video Conferencing	OP 46/2020 - Application for the approval of allowing 15% of price preference and 50% of purchase preference as per the GO (RT) No.5382/2020/Fin dated 18.9.2020 to protect State owned PSUs – M/s Kerala Electrical and Allied Engineering Co. Ltd. Petitioner : KEAE Co. Ltd. Respondent : KSEB Ltd.
72	05.01.2021 11:00 AM	Video Conferencing	OP 26/2020 – Petition for approval of PPA between THDC and KSEB Ltd with regard to the Solar Park at Kasargod. Petitioner : THDC India Limited. Respondents : 1. KSEB Ltd. 2. Renewable Power Corporation of Kerala Ltd. 3. Solar Energy Corporation of India Ltd
73	06.01.2021 11:00 AM	Video Conferencing	OP 29/2020 – Petition for clarifications filed under Section 86 of the Electricity Act, 2003 for newly installed 2 MW solar power plant at Kalamassery. Petitioner : M/s Hindalco Industries Ltd. Respondents : KSEB Ltd., ANERT, Electrical Inspectorate, State Load Dispatch Centre
74	07.01.2021 11:00 AM	Video Conferencing	OP 49/2020 – Approval of draft PPA for reduction of contract demand from 18000 kVA to 13000 at 100 kV between KSEB Ltd and M/s KINESCO Power and Utilities Pvt. Ltd. Petitioner : M/s KPUPL Respondent : KSEB Ltd.
75	13.01.2021 11:00 AM	Malabar Hall, Technopark	OA 16/2020 – Petition for Truing up of accounts for the FY 2018-19 – Technopark. Petitioner : M/s Technopark
76	13.01.2021 12:00 AM	Malabar Hall, Technopark	OP 42/2020 – Review petition for the Capital Investment Approval order in OP 16/2020 dated 04.09.2020 M/s Technopark. Petitioner : M/s Technopark

77	14.01.2021 11:00 AM	Video Conferencing	OP 47/2020 – Petition for approval of manual on redressing consumer complaints Petitioner : Technopark
78	15.01.2021 11:00 AM	Video Conferencing	OP No. 45/2020 – Petition seeking clarification on provisions laid down under chapter III clause 13 (General condition) of KSERC - Notification No. 1204/D(T)/2019/KSERC Petitioner : Indian Oil Officers Co-op Housing Society Respondent : KSEB Ltd
79	18.01.2021 11:00 AM	Kanan Devan Hills Club, Old Munnar, Munnar	OP 41/2020 – Truing up of Accounts for the FY 2018-19 of M/s. Kanan Devan Hills Plantation Company Ltd Petitioner : KDHPCL
80	21.01.2021 11:00 AM	Video Conferencing	OP 33/2020 – Petition seeking approval for modifying the terms and conditions for the agreement entered between KSEB Ltd and INDSIL Hydro Power and Manganese Limited. Petitioner : KSEB Ltd. Respondent : INDSIL
81	25.01.2021 11:00 AM	Video Conferencing	OP 44/2020 – Petition for challenging the non-payment of invoice raised for sale of banked energy to KSEB Ltd. Petitioner : M/s Indsil Hydro Power and Manganese Limited. Respondent : KSEB Ltd.
82	27.01.2021 11:00 AM	Video Conferencing	OP 31/2020 – Petition seeking interim order for approval for procurement of 200MW solar power from SECI for long term basis. Petitioner : KSEB Ltd Respondent : SECI
83	28.01.2021 11:00 AM	Video Conferencing	OP 37/2020 – Petition for expenses for electric connection / enhancing existing load – petition filed in compliance of the judgment of the Hon'ble High Court dated 16.10.2018 WA No. 1448 and 1482 of 2017. Petitioner : KSEB Ltd.

84	01.02.2021 11:00 AM	Conference Hall, Collectorate, Ernakulam	OP 23/2020 – Petition for inclusion of KINFRA Petro chemical park as additional license area Petitioner : KPUPL Respondent: KSEB Ltd
85	01.02.2021 02:00 PM	Conference Hall, Transmission Circle Office, 220 kV substation, Kalamassery	OP 45/2020 – Petition seeking clarification on provisions laid down under Chapter III clause 13 (General Conditions) of KSERC – Notification No. 1204/ D(T)/ 2019/ KSERC dated 07.02.2020. Petitioner: Indian Oil Officer's Cooperative Housing Society, Kochi. Respondent : KSEB Ltd.
86	05.02.2021 11:00 AM	Kanan Devan Hills Club, Old Munnar, Munnar	OP 41/2020 - Truing up of Accounts for the Financial Year 2018-19 of M/s Kanan Devan Hills Plantation Company Ltd. Petitioner : KDHPCL
87	08.02.2021 11:00 AM	Conference Hall, Cochin Port Trust	OP 50/2020 – Petition for Truing up of Accounts for the financial year 2019-20 – M/s Cochin Port Trust Petitioner : M/s Cochin Port Trust
88	09.02.2021 11:00 AM	Conference Hall, Govt. Rest House, Pathadipalam	OP 2/2021 - Petition seeking approval for the settlement reached in compliance with the direction of Hon'ble Commission contained in the order dated 08.07.2019 between KSEB and NTPC in respect of the PPA of RGCCPP, Kayamkulam Petitioner : KSEB Ltd Respondent : 1. M/s NTPC, Kayamkulam 2. M/s NTPC, New Delhi
89	09.02.2021 02:00 PM	Conference Hall, Govt. Rest House, Pathadipalam	OP 5/2021 – Petition seeking final orders with respect to drawal of 350 MW of contracted power under DBFOO Bid-2- KSEB Ltd. Petitioner : KSEB Ltd. Respondent : 1. M/s Jhabua Power Limited, Haryana, 2.M/s Jindal India Thermal Ltd.

90	10.02.2021 11:00 AM	Malabar Hall, Technopark	OP 48/2020 – Petition for approval of number of employees for the electricity distribution business of Technopark. Petitioner : M/s Technopark
91	11.02.2021 11:00 AM	Video Conferencing	OP 06/2021 – Petition for entering into short term PPA through banking of power during 03/2021 to 09/2021 with Tata Power Distribution Ltd through PTC Petitioner : KSEB Ltd. Respondent : PTC India Ltd.
92	12.02.2021 11:00 AM	Video Conferencing	OP 07/2021 – Petition seeking approval as per CEA (Technical Standards for Communication System in Power System Operation) Regulation 2020 for adopting MPLS Technology for implementation of the Reliable Communication and Data Acquisition Project of KSEB Ltd Petitioner : KSEB Ltd.
93	16.02.2021 11:00 AM	Video Conferencing	OP 03/2021 – Petition for requirement of feasibility for 1 MW Grid connected solar with net metering system Petitioner : Kerala Health Care Pvt Ltd Respondent : KSEB Ltd
94	17.02.2021 11:00 AM	Video Conferencing	OP 08/2021 – Determination of tariff for single point supply Petitioner : South Asian Plywood Mills Pvt Ltd Respondent : KSEB Ltd
95	18.02.2021 11:00 AM	Video Conferencing	OP 33/2020 – Petition for seeking approval for modifying the terms and conditions for the agreement entered into between the petitioner and respondent Petitioner : KSEB Ltd Respondent : INDSIL
96	19.02.2021 11:00 AM	Video Conferencing	OP 05/2021 – Petition seeking final orders with respect to drawal of 350 MW of contracted power Petitioner : KSEB Ltd Respondent : Jabua Power Ltd

97	22.02.2021 11:00 AM	Video Conferencing	OA 15/2018 – Appraisal of capital investment proposed by KSEB Ltd Petitioner : KSEB Ltd
98	25.02.2021 11:00 AM	Video Conferencing	OA 15/2018 – Appraisal of capital investment proposed by KSEB Ltd under SUB (Distribution) for 2018-19 to 2021-22 Petitioner : KSEB Ltd
99	03.03.2021 11:00 AM	Video Conferencing	OP No. 29/2020 – To pass an order declaring 2MW solar power plant at Kalamassery Petitioner : M/s. Hindalco Industries Respondents: (1) KSEB Ltd (2) ANERT (3) Electrical Inspectorate (4) State Load Dispatch Centre
100	04.03.2021 03:00 PM	Video Conferencing	OP No. 09/2021 – Petition seeking to get common connection with a demand based LT Tariff Petitioner : Tall County Apartments Respondent : KSEB Ltd
101	05.03.2021 11:00 AM	Video Conferencing	OP No. 33/2020 – Petition seeking approval for modifying the terms and conditions for the agreement entered between KSEB Ltd and INDSIL. Petitioner : KSEB Ltd Respondent : INDSIL
102	09.03.2021 11:00 AM	Video Conferencing	OP No. 10/2021 – For approval of Rs. 0.07/unit as trading margin in the PSA for 200 MW wind power with SECI on long term basis. Petitioner : KSEB Ltd Respondent : SECI
103	10.03.2021 10:00 AM	Video Conferencing	OP No. 11/2021 – To grant approval for the initialled PPA with NTPC Ltd and Tata Power Company Ltd with Saurya Ltd Petitioner : KSEB Ltd Respondent : (1) NTPC Ltd, (2) Tata power Company Ltd, (3) T.P Saurya.
104	17.03.2021 11:00 AM	Video Conferencing	OP No. 12/2021 – Petition seeking approval for entering into short term PPA with GMR, Adani Enterprises and PTC India Ltd Petitioner : KSEB Ltd Respondent : (1) PTC India Ltd, (2) GMR Energy Trading Ltd, (3) Adani Enterprises Ltd

105	18.03.2021 11:00 AM	Video Conferencing	OP 07/2021 – Petition seeking approval as per CEA (Technical Standards for Communication System in Power System Operation) Regulation 2020 for adopting MPLS Technology. Petitioner : KSEB Ltd
106	19.03.2021 11:00 AM	Video Conferencing	OP 31/2020 – Petition for seeking interim order for approval for procurement of 200 MW solar PV projects through M/s Solar Energy Corporation of India Ltd on long term basis – KSEB Ltd. Petitioner : KSEB Ltd. Respondent : SECI
107	23.03.2021 11:00 AM	Video Conferencing	OP 3/2021 – Petition for requirement of feasibility for 1MW (AC) Grid Connected solar with net metering system – M/s Kerala Health Care Private limited. Petitioner : M/s Kerala Health Care Private Limited. Respondent: KSEB Ltd., REES.
108	24.03.2021 11:00 AM	Video Conferencing	OP 18/2020 – Petition for refund of 20% of registration fee – Petitioner : Cochin International Airport Limited. Respondent : KSEB Ltd
109	30.03.2021 11:00 AM	Video Conferencing	OP 08/2021 - Determination of Tariff for Single Point Supply and sharing the electricity charges - “Suo motu proceedings initiated by the Commission”. Petitioner : South Asian Plywood Mills Private Limited. Respondent : KSEB Ltd.
110	30.03.2021 03:00 PM	Video Conferencing	RP No. 02/2021 on One Time Settlement Scheme 2021 in OP 40/2020 filed by KSEB Ltd Petitioner: Edayar Zinc Ltd. Respondent : KSEB Ltd.
111	31.03.2021 11:00 AM	Video Conferencing	RP 01/2021 – Review petition against KSERC Order in the matter of addition of assets for the year 2016-17 as part of Truing up of accounts for the FY 2016-17 – KSEB Petitioner : KSEB Ltd.

