



MRF

MRF Limited, Medak Factory, P.B.No. 2, Sadasivapet - 502 291

Sangareddy District, Telangana

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CIN : L25111TN1960PLC004306

To,
The Secretary,
TGERC, Singareni Bhavan,
Hyderabad.

Date: 14-06-2024



Respected Sir,

Sub: Comments/Suggestions on the matter of fresh determination of Cross Subsidy Surcharges to be levied for FY 2013-14 & 2014-15.

Ref: TSERC Public Notice dated 09.05.2024 and copy thereof received on 18.05.2024.

With reference to the above public notice dated 09-05-2024, we are hereby submitting our comments/suggestions and protest to the proposal for determination of Cross Subsidy Surcharges for the years 2013-14 & 2014-15, as given below: -

1. At the very outset, it is most humbly submitted that the present proposal for determination of Cross Subsidy Surcharges for the year 2013-14 is not maintainable on account of the fact that the said issue was finally settled by APERC vide its Order dated 13.08.2013 by holding that the Cross-Subsidy Surcharge & Additional Surcharge, under the provisions of the Electricity Act 2003, payable by Open Access Users, **as "nil" for the Financial 2013-14**. The said order came to be passed on merits after appreciating the fact of DISCOMs are unable supply power due to power shortages and also noting the fact that levy of cross-subsidy will impose unnecessary financial burden on the consumer. While passing the said Order, Hon'ble APERC had rightly held at para 35 of the Order that "the Licensees are having obligation to supply of electricity to the consumers and when that obligation is not met, justice can be extended only through allowing the consumers to source the power under open access without any surcharge."

It may also be noted that the review petition filed by the DISCOMs against the aforesaid Order was dismissed by the APERC vide its Order dated 22.01.2014. Thus, in the absence of any further appeals against the aforesaid Order, it has attained finality. Therefore, the present proposal/application of the TDISCOMs for determination of Cross Subsidy Surcharges to be levied for FY 2013-14 is not maintainable and is liable to be dismissed.



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2. In so far as the proposal/application of the TDISCOMs for determination of Cross Subsidy Surcharges to be levied for FY 2014-15 is concerned, it is most humbly submitted that the said period also saw serious shortage of power which resulted in Power Holidays. The data compiled in Annexure II, attached herewith, clearly demonstrates the fact of power shortage and imposition of power holidays in the FY 2014-15 which forced us to source power at extremely high prices from Open Access Power Sources in order to run our Plant production. As such, any proposal to levy Cross Subsidy Surcharges for such sourcing of power from Open Access Power Sources shall be rejected as per the precedent set by the APERC in their Order dated 13.08.2013, as described hereinabove.
3. Furthermore, it may be noted that it was on account of the Permitted Demand Limits, Power Holidays, R&C measures and power supply deficit from DISCOMs in the state during FY 2013-14 & 2014-15 as described in Annexures-I, II, III, we were constrained to get the shortfall energy from Open Access Power Sources to run our Plant production during FY 2013-14 & 2014-15. Furthermore, it may also be noted that the price of Open Access power was very high above the DISCOM price due to the demand and thereby gave us additional burden. While so, the present proposal for levy of Cross Subsidy Surcharges for the years 2013-14 & 2014-15, is extremely exploitative as it would be inflicting unreasonable additional financial burden on us.

In the light of the above, we respectfully request that the present proposal of the DISCOMs for determination of Cross Subsidy be disposed by holding that no Cross Subsidy Charges is payable for the years 2013-14 and 2014-15.

With Regards,

MRF Limited

- Encl: 1. Annexure-I, Permitted Demand Limits
2. Annexure-II, Power Holidays data
3. Annexure-III, R&C measures data
4. TSERC Public Notice dated: 09.05.2024
5. APERC- O.P.No.54 of 2013
6. Power Holidays Letter Dt.01-03-2024, 06-03-2014, 27-09-2014
7. R&C Measures letters, Dt. 17-04-2013 & 02-07-2013
8. Revised Public notice to file objections by 15.06.2024

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Annexure-I, POWER RESTRICTION DATA

Date	Restriction Period	CMD(MW)	Allowed Load(%)	Allowed Load (MW)
01-01-2013	OFF PEAK (00-18,22-24)HRS	22	60%	13.2
01-01-2013	PEAK (18-22)HRS	22	20%	4.4
01-02-2013	OFF PEAK (00-18,22-24)HRS	22	60%	13.2
01-02-2013	PEAK (18-22)HRS	22	20%	4.4
01-03-2013	OFF PEAK (00-18,22-24)HRS	22	60%	13.2
01-03-2013	PEAK (18-22)HRS	22	20%	4.4
01-04-2013	OFF PEAK (00-18,22-24)HRS	22	60%	13.2
01-04-2013	PEAK (18-22)HRS	22	20%	4.4
29-04-2013	OFF PEAK (00-18,22-24)HRS	22	66%	14.52
29-04-2013	PEAK (18-22)HRS	22	30%	6.6
01-05-2013	OFF PEAK (00-18,22-24)HRS	22	66%	14.52
01-05-2013	PEAK (18-22)HRS	22	30%	6.6
01-06-2013	OFF PEAK (00-18,22-24)HRS	22	66%	14.52
01-06-2013	PEAK (18-22)HRS	22	30%	6.6
23-06-2013	OFF PEAK (00-18,22-24)HRS	22	80%	17.6
23-06-2013	PEAK (18-22)HRS	22	40%	8.8
01-07-2013	OFF PEAK (00-18,22-24)HRS	22	80%	17.6
01-07-2013	PEAK (18-22)HRS	22	40%	8.8
22-07-2013	OFF PEAK (00-18,22-24)HRS	22	100%	22
22-07-2013	PEAK (18-22)HRS	22	50%	11
01-08-2013	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-08-2013	PEAK (18-22)HRS	22	50%	11
02-08-2013	OFF PEAK (00-18,22-24)HRS	22	100%	22
02-08-2013	PEAK (18-22)HRS	22	100%	22
01-09-2013	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-09-2013	PEAK (18-22)HRS	22	100%	22
01-10-2013	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-10-2013	PEAK (18-22)HRS	22	100%	22
01-11-2013	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-11-2013	PEAK (18-22)HRS	22	100%	22
01-12-2013	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-12-2013	PEAK (18-22)HRS	22	100%	22
01-01-2014	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-01-2014	PEAK (18-22)HRS	22	100%	22
01-02-2014	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-02-2014	PEAK (18-22)HRS	22	100%	22
01-03-2014	OFF PEAK (00-18,22-24)HRS	22	100%	22
01-03-2014	PEAK (18-22)HRS	22	100%	22

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08-10-2014	6:00 AM	6:00 PM	0 MW	6:00 PM	12:00 AM	2.2 MW	6:00 AM	6:00 PM	22MW	6:00 PM	12:00 AM	19.8MW	Power Holiday Sudden Information Given EB Operator	
09-10-2014	12:00 AM	6:00 AM	2.2 MW	6:00 AM	12:00 AM	22MW	12:00 AM	6:00 AM	19.8MW	6:00 AM	12:00 AM	0	Power holiday starts on 6 AM Thursday to 6AM Friday, but 10% of CMD available for Lighting & Emergency loads from 6PM Thursday to 6AM Friday	
15-10-2014	6:00 AM	6:00 PM	0 MW	6:00 PM	12:00 AM	2.2 MW	6:00 AM	6:00 PM	22MW	6:00 PM	12:00 AM	19.8MW		
16-10-2014	12:00 AM	6:00 AM	2.2 MW	6:00 AM	12:00 AM	22MW	12:00 AM	6:00 AM	19.8MW	6:00 AM	12:00 AM	0		
22-10-2014	6:00 AM	6:00 PM	0 MW	6:00 PM	12:00 AM	2.2 MW	6:00 AM	6:00 PM	22MW	6:00 PM	12:00 AM	19.8MW		
23-10-2014	12:00 AM	6:00 AM	2.2 MW	6:00 AM	12:00 AM	22MW	12:00 AM	6:00 AM	19.8MW	6:00 AM	12:00 AM	0		
30-10-2014	6:00 AM	6:00 PM	0 MW	6:00 PM	12:00 AM	2.2 MW	6:00 AM	6:00 PM	22MW	6:00 PM	12:00 AM	19.8MW		
31-10-2014	12:00 AM	6:00 AM	2.2 MW	6:00 AM	12:00 AM	22MW	12:00 AM	6:00 AM	19.8MW	6:00 AM	12:00 AM	0		
06-11-2014	6:00 AM	6:00 PM	0 MW	6:00 PM	12:00 AM	2.2 MW	6:00 AM	6:00 PM	22MW	6:00 PM	12:00 AM	19.8MW		
07-11-2014	12:00 AM	6:00 AM	2.2 MW	6:00 AM	12:00 AM	22MW	12:00 AM	6:00 AM	19.8MW	6:00 AM	12:00 AM	0		
13-11-2014	6:00 AM	6:00 PM	0 MW	6:00 PM	12:00 AM	2.2 MW	6:00 AM	6:00 PM	22MW	6:00 PM	12:00 AM	19.8MW		
14-11-2014	12:00 AM	6:00 AM	2.2 MW	6:00 AM	12:00 AM	22MW	12:00 AM	6:00 AM	19.8MW	6:00 AM	12:00 AM	0		
18-11-2014	6:00 AM	6:00 PM	0 MW	6:00 PM	12:00 AM	2.2 MW	6:00 AM	6:00 PM	22MW	6:00 PM	12:00 AM	19.8MW		Today Power Holiday Not There Late information Given By As Per Requirement Mif Purchased lex Up To 00:00 Hrs

Annexure -III, R&C Measures - Summary (March13 to July 13)

Sl. No.	Reference	Eff. date	R & C Measures	Order by	PDL (O-P)	PDL(P)	PCL(O-P)	PCL(P)
1	DEE/OP/SNG/Tech/F.No.48 /D.No.1962/11-12 , Dt.02-03-2012	11-3-13 to 15-3-13 & 26-3-13 to 30-3-13	Power Holidays.	DEE/ Srd				
2	D.No. 3621 dt. 30-3-12	Apr - 12	60% Cont. load on RMD	CGM / O&M				
3	D.No. 611 dt. 20-07-12	26,27,28 of July 12	10% of CMD during 6 p.m. to 6 a.m.	DEE/ Srd				
4	T.M. Dt. 17-08-12	17, Aug - 12	Load Relief	DEE/ Srd				
5	Dt. 31-7-12	Aug-12	60% of CMD continuously	CGM / O&M	13200	13200	7920000	1584000
6	APERC/ Secy/ 14/ 2012-13 Dt. 14-09-12	12-09-12 to Till 31-3-13	PDL-O = 60% , PDL-P=30% & PCL-O=90% LF , PCL-p=100% LF	APERC	13200	6600	7128000	792000
6A					x3	X3	x3	X5
7	D.No. 800/2012 dt. 15-09-12	12-9-12 to next billing cycle i.e. 22-9-12	PDL-O = 60% , PDL-P=10% & PCL-O=80% LF , PCL-p=50% LF	SE/ Srd	13200	2200	6336000	132000
8	APERC/ Secy/ 16/ 2012-13 Dt. 01-11-12	From 07-11-12 to 31-3-13	PDL-O = 60% , PDL-P=20% & PCL-O=75% LF , PCL-p=100% LF	APERC	13200	4400	5940000	528000
8A					> 5%		X6	X7
9	APERC/ Secy/ 07/ 2013 Dt. 28-03-13	Extension till 30-4-13	PDL-O = 60% , PDL-P=20% & PCL-O=75% LF , PCL-p=100% LF	APERC	13200	4400	5940000	528000
10	APERC/ Secy/ 08/ 2013 Dt. 17-04-13	From 21-4-13 to 22-6-13	PDL-O = 66% , PDL-P=30% & PCL-O=75% LF , PCL-p=100% LF	APERC	14520	6600	6534000	792000
11	APERC/ Secy/ 81(A)/ 2013 Dt. 15-06-13	From 22-6-13 to 22-9-13	PDL-O = 80% , PDL-P=40% & PCL-O=75% LF , PCL-p=100% LF	APERC	17600	8800	7920000	1056000
12	APERC/ Secy/ 99/ 2013 Dt. 02-07-13	From 22-7-13 to 22-9-13	PDL-O = 100% , PDL-P=50% & PCL-O=75% LF , PCL-p=100% LF	APERC	22000	11000	9900000	1320000
13	APERC/ Secy/ 144/ 2013 Dt. 31-07-13	From 01-8-13	PDL-O = 100% , PDL-P=100% & PCL-O=100% LF , PCL-p=100% LF	APERC	22000	22000	13200000	2640000



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order dated 05.07.2007 directing the APERC to compute the cross subsidy surcharge, which consumers are required to pay for the use of open access in accordance with the surcharge formula specified in para 8.5 of the National Tariff Policy, 2006 for FY 2005 – 06 and onwards. The erstwhile APERC had filed Civil Appeal before the Hon'ble Supreme Court challenging the order of the Hon'ble ATE and the same were dismissed vide judgment dated 31.03.2016.

3. The erstwhile APERC had, during the pendency of the appeals before the Hon'ble Supreme Court, initiated proceedings in respect of FY 2007-08, 2008-09, 2009-10, 2010-11, 2011-12 and 2012-13 in O. P. Nos. 5 of 2007, 73 of 2012, 74 of 2012, 75 of 2012, 76 of 2012 and 77 of 2012. The then APERC had passed orders individually in the above said matters on 26.10.2012.
4. The applicants / petitioners TSDISCOMs sought fresh determination of CSS for the FY 2005-06 to 2012-13 by filing interlocutory applications in the proceedings referred to above in the light of the order of the Hon'ble Supreme Court which confirmed the orders of the Hon'ble ATE. The petitioners had also sought determination of CSS for the years 2013-14 and 2014-15, which were not decided by the erstwhile APERC in the respective years for the reasons that the year 2013-14 resulted in restriction and control measure, accordingly the same was refused, as also 2014-15 was a transition period due to formation of the state of Telangana.
5. The Commission initiated proceedings pursuant to the disposal of the civil appeals in the applications / petitions filed by the licensees on 08.08.2017. The Commission, after calling for the objections and suggestions by public notice dated 08.08.2017 decided the matter on 06.04.2018 by passing common order. The said order came to be questioned before the Hon'ble High Court in W. P. No. 21936 of 2018 and batch. A few cases in the said batch of writ petitions were disposed of by order dated 12.02.2020, duly remanding the matter back to the Commission for a fresh disposal by giving notice to the affected parties.
6. Accordingly this Commission now has taken up a fresh determination of CSS for FY 2005-06 to FY 2014-15 by following the procedure and by giving a Public Notice as well as individual notice to the affected parties. Since, the determination of CSS cannot be done for an individual consumer and is a determination based on filings of TSDISCOMs applicable to all categories of open access consumers, this Commission deems it proper and appropriate to apply this fresh determination of CSS to all open access consumers irrespective



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11-4-660, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad.
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Website www.tserc.gov.in

PUBLIC NOTICE

I. A. No. 9 of 2017 in O. P. No. 16 of 2005,
I. A. No. 10 of 2017 in O. P. No. 13 of 2006,
I. A. No. 11 of 2017 in O. P. No. 5 of 2007,
I. A. No. 12 of 2017 in O. P. No. 73 of 2012,
I. A. No. 13 of 2017 in O. P. No. 74 of 2012,
I. A. No. 14 of 2017 in O. P. No. 75 of 2012,
I. A. No. 15 of 2017 in O. P. No. 76 of 2012,
I. A. No. 16 of 2017 in O. P. No. 77 of 2012,
O. P. No. 13 of 2017
&
O. P. No. 14 of 2017.

In the matter of fresh determination of Cross Subsidy Surcharge to be levied for the FYs 2005-06 to 2014-15 in respect of the open access consumers by TSDISCOMs under Section 42 of the Electricity Act, 2003 pursuant to directions given by the Hon'ble High Court in its common Order dated 12.02.2020 in W.P.No.21936 of 2018 & Others

1. Whereas the erstwhile Andhra Pradesh Electricity Regulatory Commission (APERC) had initiated suo moto proceedings for determination of cross subsidy surcharge for the financial year 2005-06 in O. P. No. 16 of 2005, 2006-07 in O. P. No. 13 of 2006 and 2007-08 in O. P. No. 5 of 2007, on its file and decided the same by the order dated 21.09.2005, 29.08.2006 and 31.03.2007 (interim order) respectively holding that embedded cost methodology would be the basis for determination of CSS and determined individual figures for category-wise consumption for each DISCOM.
2. The applicants / petitioners stated that the appeals filed before the Hon'ble ATE vide Nos. 169, 170, 171, 172 of 2005, 248 and 249 of 2006 by M/s. RVK Energy and others against the orders of the then APERC in regard to determination of cross subsidy surcharge as per embedded cost methodology were allowed by

apply this fresh determination of CSS to all open access consumers irrespective of the fact whether they are aggrieved or not with the earlier CSS Order by issuing individual notices to all the Open Access Consumers in respective years.

7. The Commission desires that all the stakeholders, interested persons and others in the matter and public at large may offer their comments and suggestions on the proposals of the Commission. The public notice along with relevant documents are placed in the website of the Commission (www.tserc.gov.in).
8. Comments/suggestions are invited on the Commission's proposals from the stakeholders together with supporting material to be sent to the Commission Secretary /TSERC in person or through registered post so as to reach on or before 30.05.2024 by 5 PM.
9. The Commission intends to conduct public hearing in this matter on 10.06.2024 (Monday) from 11:00 hrs onwards in the Court Hall of TSERC.



COMMISSION SECRETARY

Place: Hyderabad
Date: 09.05.2024.

Licenses in the State for the FY 2013-14. However, DISCOMs were given the liberty to approach the Commission afresh on Cross Subsidy Surcharge & Additional Surcharge proposals, during that Financial Year, if they could assure 100% power supply to all subsidizing consumers, for at least four (4) months consecutively.

2. The Petitioners / DISCOMs have filed the present petition u/s 94 of the Act, 2003 r/w clause 49 of APERC (Conduct of Business) Regulation No.2 of 1999 seeking review of the above mentioned order of the Commission dt.13.08.2013.

3. As per the averments mentioned in the said petition, the order of the Commission dt.13.08.2013 that Cross Subsidy Surcharge and Additional surcharge for the FY 2013-14 would be nil, is contrary to law in force and is also result of omission of several vital aspects of the subject matter of Cross Subsidy Surcharge, which are apparent on the face of record, and thus deserves to be reviewed for the following reasons.

- a) The very approach of Commission on the issue of determination of Cross Subsidy as contemplated by the Act 2003, was done in a hurried manner, which is in violation of principles of natural justice and contrary to object of public hearing.
- b) The justification that is projected to arrive at a conclusion that Cross Subsidy is nil for Financial Year 2013-14 is that the DISCOMs failed to give assurance of continuous supply of power for four months. In fact the said ground is alien to law for the determination of Cross Subsidy Surcharge. On the other hand, the Commission failed to take into consideration relevant material and data submitted by DISCOMs for determining the Cross Subsidy Surcharge. Thus, the order under review suffers with consideration of extraneous material, and non-consideration of relevant material.
- c) The said order is contrary to mandate of Section 42(2) of Act 2003 whereunder it is stated that Cross Subsidy is provided to meet the levels of cross subsidies determined in respective tariff order in the event that cross subsidizing consumer opts for open access. The Appellate Tribunal in Appeal No.32 of 2009 decided on 28-04-2010 held that the Cross-Subsidy Surcharge, which is



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th & 5th Floors, Singareni Bhavan, Red Hills, Hyderabad 500 004

R.P. No.1 of 2013
in
O.P. No.54 of 2013

Dated 22.01.2014

Present

Dr. V.Bhaskar, Chairman
Sri R.Ashoka Chari, Member
Sri P.Rajagopal Reddy, Member

In the matter of review of the order of the Commission in O.P. No.54 of 2013 dated 13-08-2013 determining the Cross Subsidy Surcharge and Additional Cross Subsidy Surcharge of the Financial Year 2013-14, filed under section 94 of Electricity Act, 2003 read with Clause 49 of A.P.E.R.C (Conduct of Business) Regulations, 1999.

Central Power Distribution Company of AP Ltd.
Eastern Power Distribution Company of AP Ltd.
Northern Power Distribution Company of AP Ltd.
Southern Power Distribution Company of AP Ltd.

.... Petitioners

ORDER

CHAPTER - I

INTRODUCTION

1. Under Section 42(2) and 42(4) of the Electricity Act 2003 (hereinafter referred as "Act 2003") the Commission initiated *suo-motu* proceedings in O.P. No.54 of 2013 for determining the Cross Subsidy Surcharge and Additional Cross Subsidy Surcharge for the Financial Year (FY) 2013-14 for open access users. In addition to inviting suggestions from the general public, it also conducted a public hearing on 06-08-2013. After examining all the submissions made by stakeholders, the Commission in its order dated 13-08-2013 ordered that the Cross-Subsidy Surcharge & Additional Surcharge be "nil" for all OA consumers falling in the service areas of all the Distribution

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Commission made in the public hearing dated 06-08-2013, which resulted in the present impasse of "nil" Cross Subsidy Surcharge, on the ground of alleged default of DISCOMs.

- h) There is no difficulty and, in fact, the DISCOMs hereby submit that they would make all out efforts to provide continuous supply to the consumers. In view of the fact that the Commission mentioned in its order dated 13-8-2013 that the DISCOMs are at liberty to approach the Commission, if the DISCOMs could assure 100% power supply, the DISCOMs are submitting the said assurance and seeking review of order dated 13-08-2013, for determination of appropriate Cross Subsidy Surcharge.
- i) The DISCOMs further stated that the findings of Commission at paragraph 33 of the order under review that DISCOMs would not loose any cross subsidy on account of exemption from payment of Cross Subsidy Surcharge during R&C measures, is factually incorrect and logically wrong since if a consumer opts Open Access and utilizes the DISCOMs power less than the R&C limit, then obviously the DISCOMs /Licensees will lose the cross subsidy to that extent. In other words, there is no way to ensure that the consumer will necessarily utilize DISCOMs power to the extent allowed under R&C and only resort to Open Access for the remaining requirement. Therefore, it is most likely that any consumer will avail of Open Access for entire requirement leading to loss of Cross Subsidy Surcharge, even in respect of power that a DISCOM is willing to offer.
- j) Further the view of the Commission at paragraph 34 of the order dt.13-08-2013 that if the consumer consumes less than that mentioned in the R&C measures, such surplus power can be supplied to other needy consumers of same class to obtain the cross subsidies, has no basis for the simple reason that all consumers in the same class are likely to take similar decisions to avail Open Access in the similar circumstances.
- k) Further, at paragraph 36 of the order dated 13-08-2013 it is found that even if it is assumed that availability of full power is for short period only, the DISCOMs still have the obligation to supply electricity to subsidized consumers during this

referred to in the proviso to sub-section (2) of Section 42 of the Act, is a compensatory charge. It does not depend upon use of distribution licensee's power and is leviable irrespective of the fact whether its line is used or not. But for the Open Access, the consumer would have taken the quantum of power from the distribution licensee and in the result the consumer would have paid tariff applicable for such supply which would include an element of cross subsidy surcharge on certain other categories of consumers.

- d) No doubt the DISCOMS are obliged under law to provide electricity supply to all categories of consumers, but in doing so some of consumers are cross subsidized. If subsidizing consumers opt for Open Access and if as per the order under review, no surcharge is levied, the object of permitting surcharge is defeated which is not sustainable at law. In fact, in another case, the APTEL in Appeal No.132 of 2011 relying on the Hon'ble Supreme Court in Civil Appeal No.3466 and 3467 of 2006, held that the consumers who continued to be connected to a particular entity, but have migrated to another company, are still liable for surcharge.
- e) The said obligation of universal supply is subject to the Clause 16 of General Terms and Conditions of Supply issued by Commission dated 06-01-2006 as amended from time to time. The said Clause reads as that "*The Company shall endeavor to afford continuous supply and to restore interrupted supply as early as possible. The Company shall be entitled to stagger or curtail supply of electricity to any consumer or a class of consumers in accordance with the Directions issued by the statutory authorities including Commission from time to time, for maintaining efficient supply and securing equitable distribution of electricity.*"
- f) Therefore, the DISCOMs, de hors to the fact of giving or otherwise of assurance as ordered in the order under review always obliged to provide supply to all consumers continuously, subject to the orders passed by statutory authorities, including State Load Dispatch Centre, etc, as stated above.
- g) Be that as it may, the Commission failed to afford reasonable opportunity to respond to the objections of the several objectors and observations of

objections/suggestions, along with the replies submitted by the DISCOM and taken a view based upon the arguments made.

7. In this context, Commission would like to place on record its appreciation to all the objectors who participated in the public hearings and furnished their carefully considered views & suggestions.

8. A list of persons/consumer associations/representative bodies/political parties/organizations/legal counsels who filed objections before the Commission, is given as Annexure.

period as per Tariff Order. If during the period when full power is available and Cross Subsidy Surcharge is not collected from the subsidizing consumers, then the anticipated cross subsidy in the Tariff Order 2013-14 cannot be recovered and there will be loss of cross subsidy revenues to DISCOMs, which may lead to rise in tariff rates for the subsidized consumers.

- l) The order under review works out detrimental to the interest of DISCOMs whose financial positions is grim due to various other reasons, not attributable to their performance. DISCOMS cannot afford to give any relief to consumers in respect of cross subsidy even during R & C measures as the same would not be compensated and hence has to be passed on to consumers in future tariffs.
- m) The Commission has wide powers to review the orders passed by it, more so, when the commission gave liberty to DISCOMs at paragraph 37 of its orders. It is necessary to review the said order dated 13-08-2013 and determine the Cross Subsidy Surcharge on the basis of embedded method which is being followed all through in the past.

4. For all the reasons mentioned in paragraph 3 above, it was requested that the Commission may review the order dated 13-08-2013 passed in O.P.No.54 of 2013 and determine Cross Subsidy Surcharge for FY 2013-14.

5. A Public Notice inviting objections/comments/suggestions from the interested persons and stakeholders on the said review petition filed by the DISCOMs was published in two daily newspapers, viz., Andhra Prabha on 11-10-2013 and in Eenadu on 16-10-2013 and requesting them to submit objections/comments/suggestions to the Commission Secretary, either by post or through email, by 25-10-2013. In response to the said notice, 26 objections/suggestions were received from the stakeholders. A Public Hearing was also held on 1-11-2013 at 11:00 AM in the Court Hall of APERC, Hyderabad.

6. In the subsequent chapter, a summary of the relevant objections, submitted both in writing & orally, by various persons/consumer associations/representative bodies/political parties/organizations/legal counsels, along with the replies submitted by the DISCOMs, is furnished. Commission has thoroughly examined these

limitation aspect. The limitation for exercise of review by the APERC, is governed by the Conduct of Business Regulation issued by the Commission. Therefore, in the absence of anything contrary in the main enactment, the limitation provided in the Regulations at Clause 49 would govern the period of limitation for filing review petition.

14. With regard to application of the Limitation Act, it is submitted that when a specific provision is made under the Electricity Act for filing certain proceedings, the limitation that is provided under the said enactment would govern the situation, but not the provisions of the Limitation Act or the period provided under the Limitation Act. The said principle of law is decided by Hon'ble Supreme Court in a case between Chhattisgarh State Electricity Board Vs CERC dated 15-04-2010 reported at 2010 ELR(SC) Page 313. Therefore, indisputably, as stated supra, Clause 49 of APERC Conduct of Business Regulations being subordinate legislation, has statutory force of Electricity Law and therefore, when there is a specific period of limitation it excludes the application of Limitation Act. As such the objection is not tenable at law.

Commission's Views:

15. There is force in the contention of the DISCOMs. The citation makes it amply clear that the Limitation Act cannot override a special or local law which prescribes a different period of limitation for any suit appeal or application. As per Clause 49 of APERC (Conduct of Business Rules of the Commission), Regulations, 1999, a petition to review the decisions, directions and orders of the Commission can be filed within 90 days. The order dated 13-08-2013 passed by the Commission in O.P.No.54 of 2013 is a *suo-motu* order. The present review petition was filed by DISCOMs on 20-09-2013 to review the *suo-motu* order. Hence, the petition which is filed within 90 days from the date of passing the order, far less its date of communication, is not barred by limitation.

3. Review Petition filed by the DISCOMs is not maintainable:

16. Sri Challa Gunaranjan, Sri Gopal Chowdary, Smt. P.Vydehi, FAPCCI & others have submitted that the petition filed under Section 94 of the Electricity Act to review the Order passed by the APERC is not maintainable and the same is liable to be dismissed *in limini*. They stated that, to apply for a review of the judgment by the

CHAPTER – II

SUMMARY OF RELEVANT POINTS ARISING FROM WRITTEN OBJECTIONS & PUBLIC HEARING

1. *No proper authorization to file the review petition:*

9. Sri Gopal Chowdary, appearing on behalf of M/s RPP & others has pointed out that the affidavit enclosed to the petition states the deponent has been authorized by APCPDCL to file the petition, whereas the petition is signed by the same person on behalf of all the DISCOMs. It is a wholly incompetent and material misjoinder of petitions. The review petition is liable to be rejected on this ground alone.

Response of DISCOMs:

10. The remaining three DISCOMs have authorized the CGM/Comm/PCPDCL to file the review petition.

Commission's Views:

11. As other 3 DISCOMs have authorized Chief General Manager Commercial, APCPDCL to file the review petition on their behalf also, this objection relating to improper authorization has no merit.

2. *Review petition is barred by limitation:*

12. Sri Gopal Chowdary, Sri Challa Gunaranjan & others have contended that for the purpose of review petition, the Commission has same powers as are vested in a Civil Court under Code of Civil Procedure, 1908 (hereinafter referred to as "C.P.C."). The review petition filed by DISCOMs is not maintainable as it was filed on 20.09.2013, beyond the 30 days limit set by the Limitation Act.

Response of DISCOMs:

13. The provisions of the Act 2003/A.P. Electricity Reform Act, clearly state that in respect of the review petition, the APERC is vested with the powers that are exercised by a civil court under the CPC. While these provisions speak about the powers of review exercisable by the APERC, they cannot be applied to the procedure and

could not be produced by him at the time when the decree was passed or order made, or an account of some mistake or error apparent on the face of record, or for any other sufficient reason".

20. The phrase "for any other sufficient reason" fell for interpretation before the Hon'ble Supreme Court in more than one occasion. It is settled law that the sufficient reason is not exhaustive and it can be any other reason which the Commission feels it as sufficient reason. In this case, the APERC in its Order dated 13-08-2013 categorically stated "DISCOMs are at liberty to approach the Commission afresh on Cross Subsidy Surcharge & Additional Surcharge proposals, during this Financial Year, if they could assure 100% power supply to all subsidizing consumers, for at least four months consecutively". Therefore sourcing the liberty given by the Commission the petitioners approached the APERC to review and revise the Order dated 13-08-2013. As such the grounds that are canvassed in the Review application are very much within the scope of permissible grounds under Order XLVII Rule(1) Code of Civil Procedure.

21. In respect of the objection about the necessity of filing fresh proceedings than filing a review petition, the petitioner submitted that if the DISCOMs approach the Commission with an assurance of the continuous supply of power, the Order dated 13-08-2013 would be *non est*. Therefore the filing of the review petition is the only appropriate course to approach the APERC. Even otherwise, the APERC is vested with inherent powers under Clause 55(3) of the APERC Conduct of Business Regulations 1999, which reads as "Nothing in these Regulations shall expressly or impliedly, bar the Commission to deal with any matter or exercise any power under the Act for which no Regulations have been framed, and the Commission may deal with such matters powers and functions in a manner it thinks fit."

Commission's Views:

22. The Commission has carefully examined the rival contentions on the issue of maintainability of this review petition filed by the petitioners herein. Law on maintainability / entertaining a review petition is well settled. A petition for review of the order of the Commission which is appealable can be entertained only for the following reasons viz., (i) where there is a typographical mistake crept in the order, (ii) when

aggrieved person, there should be a discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of record, or for any other sufficient reason. It is submitted that in the present case, the Commission after considering all the material evidence placed by the petitioners herein and the objections filed by the objectors in a proper perspective, has passed the Order dated 13-08-2013. There is no error apparent on the face of record and the petitioners have neither pleaded nor placed any new and important matter of evidence which after the exercise of due diligence was not within their knowledge, to seek review of the order. It is respectfully submitted that none of the ingredients prescribed in Order XLVII Rule-1 of C.P.C., is satisfied and hence, the review petition filed by the petitioners is not maintainable and is liable to be dismissed. They further argued that, it is a settled law that a review is not permissible for a mere re-hearing or for re-argument of the case.

17. The grounds alleged are not within the scope of review and the petitioners have never raised the above said grounds either in the original proposals or during the hearing before the Commission. The grounds for review mentioned at paragraph 3 by the petitioners are like the grounds made for appeal and the petitioners have not specifically pointed out at which the order under review suffers error apparent on the face of record or satisfies the ingredients of review under Order XLVII Rule -1. The review sought by the petitioners is not at all warranted, and the grounds raised in the review petition can at best be urged in an appeal before the appellate forum.

18. At best, a fresh petition should be filed by DISCOMS requesting for levy of cross subsidy as permitted by the APERC in its order of 13-8-2013, but in no case can a review petition be entertained.

Response of DISCOMs:

19. No doubt the law is settled that to sustain a review petition, the same should be within scope provided under Order XLVII, Rule 1 of the C.P.C., unlike in the case of appeal. *Order XLVII, Rule1 reads "from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or*

of Cross Subsidy Surcharge, which is apparent on the face of record and thus deserves to be reviewed for several grounds mentioned in detail at paragraph 3 supra.

25. In short, according to the petitioners, the Commission did not apply its mind, did not consider relevant issues and considered irrelevant issues; issued the order in a hurry and did not provide adequate opportunity to DISCOMs during the hearing. Further, according to the petitioner, Commission applied defective logic in reaching its conclusion. Lastly, the decision of the Commission is contrary to the existing law in force.

26. After careful examination of these averments of the petitioners, it appears that the petitioner is urging the Commission to "rehear and correct" its earlier order. Such contentions and various other contentions of the petitioners in support of its request to review the order dt.13.08.2013 mentioned in detail at paragraph-3 supra, are more grounds of an appeal rather than that of a review. None of these contentions stand when the test of Order XLVII Rule 1 of the CPC is applied and permit the Commission to exercise its power to review the order dt.13.08.2013. In the guise of review, the petitioners are requesting the Commission to reexamine the reasoning based on which the earlier order was issued.

there is an arithmetical mistake that has crept in while effecting calculation or otherwise (iii) where there is a mistake committed by the Commission, which is apparent from the material facts available on record and/or in respect of application of law, (iv) when the Commission omitted to take into consideration certain material facts on record and 'law on the subject' and that if on taking into consideration those aspects there is possibility of Commission coming to a different conclusion contrary to the findings given and (v) if the aggrieved party produced new material which it could not produce during the enquiry inspite of its best efforts and had that material or evidence been available, the Commission could have come to a different conclusion.

23. Thus, the scope of review is limited. On an earlier occasion, while dealing with another review petition filed by M/s. Lanco Kondapalli Power Private Ltd, vide R.P. No.1 of 2011, the Commission had an opportunity to examine the scope of review petition and at paragraph 22 of the order passed therein on 23.04.2013, it is stated that the respondents therein relied upon ruling of the Supreme Court in the case of *Ajit Kumar Rath v. State of Orissa & otrs* reported at (1999) 9 SCC 596. Relevant portion of the said judgment is reproduced below for reference.

"The power of the review available to the Tribunal is the same as has been given to a court under section 114 read with Order 47 CPC. The power is not absolute and is hedged in by the restrictions indicated in Order 47. The power can be exercised on the application of a person on the discovery of a new and important matter or evidence which, after the exercise of due diligence, was not within this knowledge or could not be produced by him at the time when the order was made. The power can also be exercised on account of some mistake or error apparent on the face of the record or for any other sufficient reason. A review cannot be claimed or asked for merely for a fresh hearing or arguments or correction of an erroneous view taken earlier, that is to say, the power of review can be exercised only for correction of a patent error of law or fact which stares in the face without any elaborate argument being needed for establishing it. It may be pointed out that the expression "any other sufficient reason" used in Order 47 Rule 1 means a reason sufficiently analogous to those specified in the rule.

Any other attempt, except an attempt to correct an apparent error or an attempt not based on any ground set out in Order 47, would amount to an abuse of the liberty given to the Tribunal under the Act to review its judgment."

24. The principal contention of the petitioners is that the conclusion arrived at by the Commission at paragraph 37 of its order dt.13.08.2013 passed in O.P.No.54 of 2013 is contrary to law in force and also result of omission of several vital aspects of the matter

must mean a reason sufficient on grounds at least analogous to those specified in the rule. For instance, case law available on the subject matter indicate that misconception of the court must be regarded as sufficient reason analogous to an error on the face of the record. Commission is unable to accede to the contention of the petitioners that filing of this review petition is the only appropriate course. By any stretch of imagination, liberty to approach the Commission alone cannot be a sufficient reason to enable the Commission to entertain this review petition. For this reason also, Commission is not inclined to exercise its power to review the order dt.13.8.2013.

29. Thus viewing the petitioners from any corner and judging from any angle, the petitioners are not able to satisfy any of the requirements of Order XLII Rule 1 of C.P.C., to enable the Commission to entertain the petition filed by it seeking review of the order dt.13.08.2013 passed by the Commission in O.P. No.54 of 2013.

30. For all the above reasons, R.P. No.1 of 2013 filed by the petitioners herein is dismissed.

This order is corrected and signed on this 22nd day of January, 2014.

Sd/-
(P.RAJAGOPAL REDDY)
MEMBER

Sd/-
(R.ASHOKA CHARI)
MEMBER

Sd/-
(Dr. V.BHASKAR)
CHAIRMAN

CHAPTER – III

CONCLUSION

27. In its petition filed on 20.09.2013 u/s 94 of the Act r/w Clause 49 of the APERC (Conduct of Business) Regulations, 1999 seeking review of the order passed by the Commission on 13.08.2013 in O.P. No.54 of 2013, the petitioners herein have mentioned that the conclusion arrived at by the Commission in the said order is contrary to law in force and also result of omission of several vital aspects of the matter of Cross Subsidy Surcharge, which is apparent on the face of record, instead of stating the same is an error apparent on the face of record. Notwithstanding the petitioners attempt to blur the distinction between "error apparent on face of the record" and "order contrary to law apparent on face of record", the Commission is of the view that the grounds raised are more of an appeal rather than that of a review, as mentioned above. Therefore, the Commission is not inclined to accept the contention that these are adequate grounds for review of its earlier order.

28. However, the reasoning of the petitioners that "if the DISCOMS approach the Commission with an assurance of continuous supply of power, the order dt.13-8-2013 would become *non est* and therefore, the filing of this review petition is the only appropriate course" is unconvincing. It is evident that at paragraph-37 of the order dt.13-08-2013, Commission permitted the petitioners/DISCOMS to approach the Commission *afresh* (emphasis supplied) on Cross Surcharge and Additional Surcharge proposals, during this Financial Year. The option available has been clearly laid out. After the easing of the power shortage situation, the DISCOMs had the option to file a fresh petition before the Commission requesting for determining the Cross Subsidy Surcharge and the Additional Surcharge under Sections 39, 40 and 42 of the Electricity Act, 2003, for the remaining part of the year 2013-14. Admittedly, the petitioners did not chose to invoke the jurisdiction of the Commission under the above mentioned provisions of law for levy of Cross Subsidy Surcharge and Additional Surcharge and making a case on merits for exercise of power by the Commission for levy of such charges. Instead, the petitioners chose to file a review petition whose scope, as mentioned above, is very limited. The phrase "*any other sufficient reason*"



CENTRAL POWER DISTRIBUTION COMPANY OF A.P. LIMITED
"Energy Saved is Energy Produced"

From:

Divisional Engineer Electl,
Operation: APCPDCL,
Sangareddy.

To:

M/s

MDK-488.
M.R.F Ltd.
Sada Sivpet

Lr.No. DEE/OP/SNG/Tech/F.No.48/D.No.2602/13-14, Dt:-01-03-2014.

Sir,

Sub:- Elec. - APCPDCL - Operation Division Sangareddy - R & C to industrial sector -
Imposition of One day power holiday per week to industries - Intimation - Regarding.

Ref:- Memo No.CMD(CGM/O&M/SE(Spl)/DE(LMRC)/F.R&C/D.No.297/13-14, Dt.01.03.14.

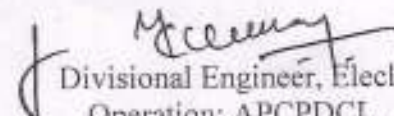
In view of the severe power shortage in the state due to increase in Rabi & Summer loads and the intermittent loss of thermal generation, to bridge the average 1200 MW shortfall in addition to the ongoing domestic sector load reliefs, it is proposed to implement one day power holiday per week to industrial sector w.e.f. 03rd March'2014.

In view of the above, you are requested to implement one day power holiday per week on Thursday from Wednesday midnight 00:00 Hrs to next day i.e., Thursday midnight 00:00 Hrs until further intimation.

In this regard your kind co-operation is solicited.

Thanking you sir,

Yours faithfully,


Divisional Engineer, Electl.,
Operation: APCPDCL,
Sangareddy.

Copy to: Asst. Divisional Engineer/Operation/

Copy Submitted to:-

The Superintending Engineer/Operation/Medak circle at Sangareddy. }
The Superintending Engineer/LMRC/C.O./Mint Coumpound/Hyd. } For favour of information
The Chief General Manager/Operation/RR Zone/Mint/Hyd. } Please.
The Chief General Manager/O&M/C.O./Mint Compound/Hyd. }

15
32



CENTRAL POWER DISTRIBUTION COMPANY OF A.P. LIMITED
"Energy Saved is Energy Produced"

From:

Divisional Engineer Electl,
Operation: APCPDCL,
Sangareddy.

To:

M/s MRF
MDR-488

Sir,

Lr.No. DEE/OP/SNG/Tech/F.No.48/D.No.2602/13-14, Dt:-01-03-2014,

Sub:- Elec. - APCPDCL - Operation Division Sangareddy - R & C to industrial sector -
Imposition of One day power holiday per week to industries - Intimation - Regarding.

Ref:- Memo No.CMD(CGM/O&M/SE(Spl)/DE(LMRC)/F.R&C/D.No.297/13-14, Dt.01.03.14.

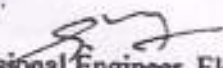
In view of the severe power shortage in the state due to increase in Rabi & Summer loads and the intermittent loss of thermal generation, to bridge the average 1200 MW shortfall in addition to the ongoing domestic sector load reliefs, it is proposed to implement one day power holiday per week to industrial sector w.e.f. 03rd March'2014, ~~Thursday 06-03-2014~~.

In view of the above, you are requested to implement one day power holiday per week on Thursday from Wednesday midnight ^{24:00} 00:00 Hrs to next day i.e., Thursday midnight ^{24:00} 00:00 Hrs until further intimation. *If any violation observed during the above period, your service is liable for disconnection*

In this regard your kind co-operation is solicited.

Thanking you sir,

Yours faithfully,


Divisional Engineer, Electl.,
Operation: APCPDCL,
Sangareddy.

Copy to: Asst. Divisional Engineer/Operation/

Copy Submitted to:-

The Superintending Engineer/Operation/Medak circle at Sangareddy.
The Superintending Engineer/LMRC/C.O./Mint Compound/Hyd.
The Chief General Manager/Operation/RR Zone/Mint.Hyd.
The Chief General Manager/O&M.C.O./Mint Compound/Hyd.

} For favour of information
Please.

CENTRAL POWER DISTRIBUTION COMPANY OF A.P.LIMITED

From
The Superintending Engineer / Special
Corporate Office APCPDCL,
Hyderabad

To
The Superintending Engineers / Opn
ATP KNL, MBR, MDK, NLG, RR(S),
RR (N), RR (E), Hyd North,
Hyd South, Hyd Central, SCADA,
IPC.

Lr. No. SE(Spl)/DE(LMRC)/F. 30/D.No. 302/13 - 14, Dt:- 06.03.14

Sub. - APCPDCL - power cuts to industrial sector --- Imposition of One day
Power Holiday per week to industries - Instructions on lighting load -
Reg.

Ref- 1) Memo.No.CMD(CPDCL)/SE(Spl)/DE(LMRC)/D.No.297/13,Dt: 01.03.14

2) Memo.No.CMD(CPDCL)/SE(Spl)/DE(LMRC)/D.No.301/13,Dt: 04.03.14

In continuation to the above instructions issued, the following further instructions are issued
for effective implementation of one day power holiday, which are to be implemented w.e.f.
06.03.2014

- 1) The power holiday timings are from 6:00 am to next day 6:00 am for the
power holiday industries.
- 2) In case of 33 KV,132 KV & 220 KV industrial dedicated/express feeders,
Lighting load is permitted up to 10% of CMD from 18:00 hrs to next day of
6:00 hrs during power holiday. Any consumer on dedicated / Express
feeder draws more than 10% of CMD during 18:00 hrs to 06:00 hrs, this
facility will be withdrawn with immediate effect.
- 3) In case of 11 KV industrial dedicated/express feeders, only single phase
power will be given from 18:00 hrs to next day of 6:00 hrs during power
holiday.

Hence, All the territorial officers AEs/ADEs/DEs/SEs operation are hereby instructed
to strictly follow and implement the same without any deviation
w.e.f.06.03.2014(Thursday)

All the DEs/operation are instructed to monitor the load on 33/132/220 KV
dedicated and express feeder from 18:00 hrs to 06:00 hrs on power holiday. A
letter may be addressed to EHT Sub-stations duly mentioning the feeder-wise
permitted lighting load from 18:00 hrs to 06:00 hrs.

[Signature]
Superintending Engineer / Special

Copy Submitted to:

All the Directors APCPDCL.
All GOMs / RR, Kurnool & Metro Zone/APCPDCL
The Chief Vigilance Officer/CPDCL

Copy to

The Divisional Engineer / Tech to CMD/ CPDCL
To: The Stock file.

DE/Spl
AP
DE/Spl
CPDCL
to RR DE/Spl
for 2014
from DE/Spl

Ends on 06/03/14
06.03.2014
for necessary action
for 2014

CENTRAL POWER DISTRIBUTION COMPANY OF A.P. LIMITED

2

From
The Chairman & Managing Director,
Corporate Office, APCPDCL,
Hyderabad.

To
The Superintending Engineers / Opn
ATP, KNL, MBR, MDK, NLG, RR(S),
RR (N), RR (E), Hyd North,
Hyd South & Hyd Central.

Memo. No. CMD/CPDCL/SE(Spl)/ DE/LMRC/ E, R&C/D.No. 48/12 - 13, Dt:- 2.02.13

Sir,

Sub: - APCPDCL -Working instructions on R&C Measures - certain amendments to original orders - Reg.

- Ref: - 1) Proceedings No.02/2012, dt: 22.01.2013 of Hon'ble APERC
2) Proceedings No.23/2012, dt: 09.01.2013 of Hon'ble APERC
3) Memo.No.CGM(O&M) /SE(Spl)/ DE(LMRC)/ D.No. 381, Dt:-14.11.12
4) Memo.No.CGM(O&M) /SE(Spl)/ DE(LMRC)/ D.No.370, Dt:- 05.11.12
5) Proceedings No.18/2012; dt: 01.11.2012 of Hon'ble APERC.
6) Note approved by CMD/CPDCL vide Note No. 6817 on 29.01.2013.

In continuation to the R&C proceedings, Hon'ble APERC in the references (1) & (2) above has issued certain amendments to the original R&C proceedings No.16, Dt: 1.11.2012. The same shall be implemented with effect from date of issue of orders by Hon'ble APERC.

(1) HT-I Continuous process industries are also eligible for option-3 (ref-4) schedule as per table below with revised load factors,

Table. Option-3 staggered power supply for 18 days i.e. 4days supply / week.

Sl.No	Category	Voltage	Type of Industry	Off Peak Hours		Peak Hours	
				PDU	LF for PCL	PDL	LF for PCL
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	HT - I Continuous Industries	EHT	18 days	100 % of CMD	75 %	30 % of CMD	100%
		33 KV		100 % of CMD	70%	30 % of CMD	100%
		11 KV		100 % of CMD	65%	30 % of CMD	100%
			12 days	10 % of CMD	50%	10 % of CMD	50%

o/c

(2) Under item No.6 of Table-1 (Option-1) of the working instructions ~~ref-4~~ the term LT-III (A) means services with greater than 20 HP load only. Hence the services with 20 HP and below do not come under R&C measures.

Endt No: SE/OP/MOR/Tech/F.No: 35/D.No: 3151/12, dt: 02/02/2013.
Copy forwarded to AU OES/OP, CI/ARTS/SKO, SAO/OP/MOR

18/12/12 *881-*
SE/OP/MOR

- (3) Under item No.4 of Table-1 (Option-1) of the working instructions (ref-4), for HT-II category services, PDL limits for off-peak & peak have been changed from (50-40)% to (80-80)% and load factor both for off-peak & peak periods have been changed from 0.8 to 0.7 till 28th February, 2013 only.
- (4) Further, all HT-I continuous process industries availing supply in Option-1 or Option-2 or Option-3 can avail 30 %CMD during peak hours on supply days only. During power holiday period they can avail 10% CMD only.
- (5) Prawn Hatcheries are exempted from R&C measures till 31-03-2013.
- (6) For all HT-I and LT-3A, LT-3B services which are being fed through 11 KV rural feeders emanating from 33/11 KV rural sub-stations which are being subjected to scheduled load reliefs by SLDC / LMRC on account of load management. The PDL & PCL limits are revised as under.
- PDL for both off-peak & peak = 100% CMD
PCL for the month = $CMD \times LF \times 1.0 (PF) \times 600 \text{hrs.}$
Note: LF remains the same as previous orders --- ref (3) & ref (4).

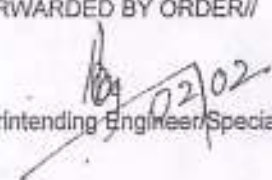
All SEs/Operation are hereby instructed to take necessary action and comply with the orders of the Hon'ble commission,

Sd/-
Chairman & Managing Director

Copy to:

The Director / Comml. & Projects / APCPDCL
The Director / Operation (GH, HRD & IR) / APCPDCL
The CGM/Finance/APCPDCL--to issue necessary instructions on appropriate billing.
All CGMs / RR, Kurnool & Metro Zone/APCPDCL
The Stock file.

// FORWARDED BY ORDER//


Superintending Engineer/Special

Central Power Distribution Company Of Andhra Pradesh Limited

From

The Superintending Engineer/Operation,
Medak Circle at Sangareddy.

To

M/s. MRF Ltd
HT. SC. No. MDK-488Lr. No. SE(OPn)/DE/Sangareddy/F.No. / D.No:1085/12-13, Dt:- 06.11.2012Sub: - APCPDCL - Operation Circle Medak - HT. Service connection
M/s. MRF Ltd having HT SC.
No. 488 - intimation of R&C measures to be implemented-Reg.

Ref: - Proceedings of Honble APERC/Secy /16 / 2012-13 Dt: 01.11.2012.

As per the revised proceedings all the industries have to implement certain R&C measures w.e.f 07.11.2012, in order to tide over the present power shortage situation.

You can opt for any one of the options applicable to the category of your service (as per the enclosed list) which is valid till 31.03.2013.


You are requested to exercise your option and acknowledge the receipt of this notice to enable APCPDCL to communicate applicable PDL & PCL limits for your industry.

Further, your cooperation is highly solicited in implementing the measures to maintain proper supply to agriculture sector, ensure lighting supply to domestic sector from 6 pm to 6 am every day and maintain safe grid conditions.

Encl:- 1 Copy


Superintending Engineer / OperationI here by acknowledge the receipt of the above R&C notice vide Lr. No.SE(OPn)/DE/
Sangareddy/F.No. / D.No:1085/12-13, Dt:- 06.11.2012 to be implemented from 07.11.2012.Further, i/we exercise our option for supply as option ONE; Sl. No. TWO.Sc. No. : MDK-488

Name & signature / date :


M. JEROME INIGO JEGAM

Name :

Relationship with consumer : **Particular Medak**
MRF LIMITED

Sadasivpet Medak Dist. Pin - 504 291

Central Power Distribution Company Of Andhra Pradesh Limited

Enclosure to notice on R&C Measures to consumer

Table -1: Option - 1: 60% during off-peak for all the days in a month.

Sl.No	Category	Voltage	Type of Industry	Off Peak Hours		Peak Hours	
				PDL	LF for PCL	PDL	LF for PCL
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	HT-I(B)	All Voltages	ALL	60 % of CMD	90%	30 % of CMD	100%
2	HT-I	EHT	Continuous	60 % of CMD	75%	20 % of CMD	100%
		33 KV		60 % of CMD	70%	20 % of CMD	100%
		11 KV		60 % of CMD	65%	20 % of CMD	100%
3	HT-I	EHT	Non-Continuous	60 % of CMD	70 %	10 % of CMD	50%
		33 KV		60 % of CMD	65%	10 % of CMD	50%
		11 KV		60 % of CMD	60%	10 % of CMD	50%

Table -2: Option - 2: 18 days power supply at a stretch and power holidays of 12 days.

Sl.No	Category	Voltage	Type of Industry	Off Peak Hours		Peak Hours	
				PDL	LF for PCL	PDL	LF for PCL
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	HT-I(B)	All Voltages	18 days	100 % of CMD	90%	30 % of CMD	100%
			12 days	10 % of CMD	50%	10 % of CMD	50%
2	HT-I Continuous	EHT	18 days	100 % of CMD	75%	20 % of CMD	100%
		33 KV		100 % of CMD	70%	20 % of CMD	100%
		11 KV		100 % of CMD	65%	20 % of CMD	100%
		All	12 days	10 % of CMD	50%	10 % of CMD	50%
3	HT-I other industries	EHT	18 days	100 % of CMD	70 %	10 % of CMD	50%
		33 KV		100 % of CMD	65%	10 % of CMD	50%
		11 KV		100 % of CMD	60%	10 % of CMD	50%
		All Voltages	12 days	10 % of CMD	50%	10 % of CMD	50%

Table -3: Option - 3: Staggered power supply for 18 days i.e. 4 days supply/week.

Sl.No	Category	Voltage	Type of Industry	Off Peak Hours		Peak Hours	
				PDL	LF for PCL	PDL	LF for PCL
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	HT-I other Industries	EHT	18 days	100 % of CMD	70 %	10 % of CMD	50%
		33 KV		100 % of CMD	65%	10 % of CMD	50%
		11 KV		100 % of CMD	60%	10 % of CMD	50%
			12 days	10 % of CMD	50%	10 % of CMD	50%

Table - 4: Applicability of options

Sl.No	Applicable Services	Applicable options
1	HT-I Continuous	Option-1 & Option-2
2	HT-I(B)	Option-1 & Option-2
3	HT-I other Industries	Option-1, Option-2 & Option-3

- 5) All Central Government undertakings under HT – I category are exempted from power holiday.
- 6) During power holiday, HT services with captive power plants can use TSSPDCL supply during CPP breakdowns to the extent of startup power.

Hence, All the territorial officers AEs/ADEs/DEs/SEs operation are hereby instructed to strictly implement the one day power holiday to all industries (HT-1, LT-3) excluding IT & ITES, data centers, cellular signal processing / communication towers / centers and Telephone exchanges as per the above table from 27-Sep-2014 (Saturday/06:00 AM) without any deviation.

Any deviations reported / observed on implementation of power holiday will be dealt with sternly. The CVO/TSSPDCL is instructed to arrange for inspection each day in the relevant circle proper implementation of power holidays and violations may be reported through a daily report.

Sd/-
Chief General Manager(O&M)

Copy to:

All the SEs/Opn/ MBN, MDK, NLG, RR(S), RR (N), RR (E), Hyd North Hyd South, Hyd Central, SCADA & IPC.TSSPDCL.

All CGMs / RR Zone & Metro Zone / TSSPDCL.
The Chief Vigilance Officer/ TSSPDCL.

Copy Submitted to:

All the Directors TSSPDCL.

O/o The Chief General Manager(O&M),
Corporate Office, TSSPDCL,
Mint compound,Hyderabad.

Memo. No.CGM(O&M)/SE(LMRC)/DE(LMRC)/F. 30 /D.No. 115 /14-15, Dt:-25-09-14

Sub: -TSSPDCL – Imposition of One day Power Holiday per week to Industries –
w.e.f. 27-Sep-2014/06:00 AM – instructions issued – Reg.

Ref:- Note approved by CMD/TSSPDCL Dt:25.09.2014.

In view of the severe shortage of power in the state and onset of Khariff season, delay in monsoon & loss of thermal generation due to coal shortage, to bridge the average 800-1000 MW demand shortfall, it is proposed to implement one day power holiday per week to industrial sector w.e.f.27.09.2014(Saturday/06:00 AM).The district/circle-wise one day power holiday schedule is as shown below:

One day Power Holiday schedule w.e.f.27.09.14/06:00 AM

Sl. No	Circle	Mon	Tue	Wed	Thu	Fri	Sat	Sun
1	MBN			LR				
2	NLG (Bhongir division)							LR
3	NLG (other than Bhongir division)					LR		
4	MDK (Other Than Bollaram)				LR			
5	MDK (Bollaram)		LR					
6	RR - South						LR	
7	RR - North	LR						
8	RR - East		LR					
9	Hyd - North	LR						
10	Hyd - South	LR						
11	Hyd - Central	LR						

Note:

- 1) The power holiday timings are from 06:00 AM to next day 06:00 AM
- 2) During power holiday open access power purchases / Third party purchases /Gas power shares are allowed only on dedicated industrial feeders.
- 3) During power holiday 10% of CMD is permitted for lighting load during 06:00 PM to 06:00 AM only.
- Industries existing on 11 KV mixed feeders which are having domestic scheduled load reliefs are exempted from one day power holiday.

Contd...2

Permitted Consumption Limit (PCL):

(a) PCL during Off peak

$$= \text{CMD} \times 100\% \times 90\% \times 1(\text{PF}) \times \text{No. of off-peak hours in the month}$$

(b) PCL during peak

$$= \text{CMD} \times 50\% \times 100\% \times 1(\text{PF}) \times \text{No. of peak hours in the month}$$

4. For the para 13, the following para shall be substituted, namely:-

"HT-I continuous process industries:

To avail supply under this category, the Consumers have to take prior approval from the respective CMD of the DISCOMs duly furnishing the details of their manufacturing process and end product.

The voltage wise Load Factor shall be as mentioned in the table-1 to arrive at Permitted Consumption Limit (PCL).

Table -1

Sl. No.	Supply Voltage	LF for PCL	
		Off-Peak	Peak
1.	EHT	75%	100%
2	33 kV	70%	100%
3	11 kV	65%	100%

Permitted Demand Limits (PDL):

(a) PDL during Off peak = 100% x Contracted Maximum Demand

(b) PDL during peak = 50% x Contracted Maximum Demand

Permitted Consumption Limit (PCL):

(a). PCL during Off peak

$$= \text{CMD} \times 100\% \times \text{LF} \times 1(\text{PF}) \times \text{No. of off-peak hours in the month}$$

The LF shall be as mentioned in the table-1 based on the supply voltage.

(b). PCL during peak = $\text{CMD} \times 50\% \times 100\% \times 1(\text{PF}) \times \text{No. of peak hours in the month}$



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500 004

Amendment Order on Restriction and Control(R&C) measures - Approval granted.

Proceedings No. APERC/Secy/99/2013

Dated 02-07-2013

Read the following:

1. CGM (Comm)/CPDCL/SE(C)/DE(C)/ADE(C)/D.No. 1079/13, dt. 26-06-2013.
2. Proceedings No. APERC/Secy/ 08/2013 Dated: 17-04-2013.

The Central Power Distribution Company of Andhra Pradesh Limited (APCPDCL), on behalf of all the four Distribution companies, submitted a representation vide reference (1) cited, seeking permission to enhance the Permitted Demand Limit (PDL) from 80% to 100% of Contracted Demand as an additional energy of 54 MU will be available from 15th July, 2013. The details of Power Availability, System Requirement and deficit position in the State are as shown in the table below:

Month	Demand (MU/day)	Availability (MU/day)	Deficit (MU/day)
July'13	255.02	244.71	10.31
Aug'13	269.83	241.57	28.26
Sep'13	281.72	260.89	20.83

2. Considering the above, the Commission has decided to enhance Permitted Demand Limit (PDL) from 80% to 100% of Contracted Demand and accordingly, the Commission issues the following amendment order.

3. For the para 12, the following para shall be substituted, namely:-

"HT-I (B) Ferro Alloy Industry:

Permitted Demand Limits (PDL):

- (a) PDL during Off peak = 100% x Contracted Maximum Demand
(b) PDL during peak = 50% x Contracted Maximum Demand



7. For the para 19 (a), under the heading of "Specific conditions/provisions" the following para shall be substituted, namely:-

"The Billing Demand shall be the maximum recorded demand during the month or 80% of the contracted demand which ever is higher and clause (6) (page No 208) of Chapter (XIV) of Tariff Order 2013-14, shall apply during these R & C measures."

These orders shall come into force w.e.f., meter reading date and will be in force till meter reading date of September, 2013.

This order is signed by the Commission on 02nd day of July, 2013

(BY THE ORDER OF THE COMMISSION)




SECRETARY

SECRETARY
A.P. Electricity Regulatory Commission
Hyderabad.

5. For the para 14, the following para shall be substituted, namely:-

"HT-1 Other Industries:

The voltage wise Load Factor shall be as mentioned in the table-2 to arrive at Permitted Consumption Limit (PCL).

Table-2

Sl. No.	Supply Voltage	LF for PCL	
		Off-Peak	Peak
1	EHT	70%	100%
2	33 kV	65%	100%
3	11 kV	60%	100%

Permitted Demand Limits (PDL) under option - 1:

- (a) PDL during Off peak = 100% x Contracted Maximum Demand
(b) PDL during peak = 40% x Contracted Maximum Demand

Permitted Consumption Limit (PCL) under option-1:

- (a). PCL during Off peak
= $CMD \times 100\% \times LF\% \times 1(PF) \times \text{No. of off-peak hours in the month}$
The LF shall be as mentioned in the table-2 based on the supply voltage.
- (b). PCL during peak = $CMD \times 40\% \times 100\% \times 1(PF) \times \text{No. of peak hours in the month}$

6. For the para 16, the following para shall be substituted, namely:-

"In case of feeders which are subjected to Load Relief (LR) by DISCOMs for durations of 4 hrs per day or more, the following Restriction and Control (R&C) measures shall be applicable:

HT - I:

100 % Contracted Demand is permitted throughout the month and shall limit energy consumption to the level of Permitted Consumption Limit (PCL) mentioned below:

Permitted Demand Limits (PDL):

PDL for both peak and off peak = 100% Contracted Maximum Demand

Permitted Consumption Limit (PCL)

PCL during a month = $CMD \times 1(PF) \times 600 \text{ hrs.}$



order cited in reference (2). The DISCOM submitted another letter vide reference (1) cited stating that an additional energy of 10 MU /day is being generated from IPPs using RLNG and Naphtha as fuel. The DISCOM proposed to enhance the present Permitted Demand Limit to 65% from the 60% of Contracted Demand. The details of Power Availability, System Requirement and deficit position in the State are as shown in the table below:

Month	Demand (MU/day)	Availability (MU/day)	Deficit (MU/day)
Apr'13	311.82	234.96	76.86
May'13	291.64	234.68	56.97
June'13	274.40	197.08	77.31

5. Considering the above, the Commission has decided to enhance Permitted Demand Limit (PDL) from 60% to 66% of Contracted Demand. Based on the representations of consumer groups and DISCOMs, the Commission has issued various amendments to the order dated 01-11-2012. It is essential to issue a consolidated order, considering all the amendments issued as on date and accordingly, the Commission issues the following order.

ORDER:

6. In exercise of the powers conferred by Section 23 read with clause (k) of Sub-section (1) of Section 86 of the Electricity Act, 2003 (36 of 2003) and all powers, enabling it in that behalf, the Andhra Pradesh Electricity Regulatory Commission hereby imposes the following Restriction and Control measures, enhancing the Permitted Demand Limit (PDL) from 60% to 66% of Contracted Demand, in super-session of the order dated 28-03-2013 to be implemented from the meter reading date of April, 2013.

7. For the purpose of this order, the off-peak period means 00:00 Hrs to 18:00 Hrs and 22:00 to 24:00 Hrs. Peak period means 18:00 to 22:00 Hrs.

8. No consumer shall exceed the Permitted Demand Limit (PDL) prescribed hereunder for the respective category during peak hours or off-peak hours.



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500 004

Revised Order on Restriction and Control(R&C) measures - Approval granted.

Proceedings No. APERC/Secy/08/2013

Dated: 17-04-2013

Read the following:

1. CGM (Comml)/SE(C)/ DE(C) /ADE(C)/D.No.108 /13 Dated 12-04-2013.
2. Proceedings No. APERC/Secy/07/2013, Dated 28-03-2013
3. CGM (Comml)/SE(C)/ DE(C) /ADE(C)/D.No.108 /13 Dated 02-03-2013.
4. Proceedings No. APERC/Secy/ 16 /2012-13 Dated: 01-11-2012.
5. Proceedings No. APERC/Secy/14/2012-13 Dated 14-09-2012
6. CGM (Comml)/SE(C)/ DE(C) /ADE(C)/D.No. 2198/12 Dated 11-10-2012.
7. CGM(Comml)/SE(C)/ DE(C) /ADE(C)/D.No. 1624/12 Dated 29-08-2012
8. Secy/01/2006 Dated 06-01-2006.

The Central Power Distribution Company of Andhra Pradesh Limited (APCPDCL), on behalf of all the four Distribution companies, namely APCPDCL, APEPDCL, APNPDCL, APSPDCL, submitted a representation vide reference (7) cited, seeking permission to impose restriction on power supply under section 23 of Electricity Act, 2003 and Clause 16 of General Terms and Conditions of Supply. The DISCOMs proposed stringent penal charges for violation of R&C orders, vide reference (6) cited and sought approval.

2. The Commission examined the Licensees' proposal in detail and considering the recent Grid disturbance in Northern Region on 30th July 2012 and in Northern, Eastern & North-Eastern Region on 31st July 2012, the Commission came to the view that it is essential to permit the restriction on usage of power by consumers in order to protect the Grid from such grid failures and to maintain discipline among various consumers.

3. Accordingly, the Commission issued order cited in reference (5) and subsequently issued order cited in reference (4) imposing certain Restriction and Control measures.

4. M/s APCPDCL, on behalf of all four DISCOMs in the state submitted a representation, vide reference (3) cited, seeking extension of Restriction and Control measures order till 30-06-2013. Accordingly, the Commission has extended the R& C order till 30-06-2013 vide



Option-2:

20 days power supply at a stretch and power holiday of 10 days in a month. During 20 days power supply, 100% contracted demand during off peak hours and 30% contracted demand during peak hours is permitted. During power holiday period of 10 days, 10% of contracted demand is permitted for maintenance.

Permitted Demand Limits (PDL) under Option - 2:

- (a). PDL during off-peak hours = 100% of Contracted Demand for 20 days
- (b). PDL during peak hours = 30% of Contracted Demand for 20 days.
- (c). PDL during power holiday period= 10% of Contracted Demand for 10 days

Permitted Consumption Limit (PCL) under option -2:

- (a). PCL during Off peak = $CMD \times 90\% \times 1(PF) \times \text{No. of off-peak hours for 20 days.}$
- (b). PCL during peak = $CMD \times 30\% \times 100\% \times 1(PF) \times \text{No. of peak hours for 20 days.}$
- (c). PCL during power holiday = $CMD \times 10\% \times 1(PF) \times \text{No. of hours for 10 days.}$

13. HT-I continuous process industries:

To avail supply under this category, the Consumers have to take prior approval from the respective CMD of the DISCOMs duly furnishing the details of their manufacturing process and end product.

Consumers who fall under this category will also give their option in writing for option 1 or for option 2 or for option 3 mentioned below to the concerned SE/Operation with a copy to the CMD /DISCOM

The DISCOMs shall regulate supply to consumers under this category as per the option indicated by the consumer.

The voltage wise Load Factor shall be as mentioned in the table-1 to arrive at Permitted Consumption Limit (PCL).

Table -1

Sl. No.	Supply Voltage	LF for PCL	
		Off-Peak	Peak
1	EHT	75%	100%
2	33 kV	70%	100%
3	11 kV	65%	100%



9. No consumer shall exceed Permitted Consumption Limit (PCL) prescribed hereunder for the respective category during peak hours or off-peak hours.

10. This Restriction and Control (R&C) measures order is applicable to the following categories of consumers.

- (a) HT -I and HT-II Consumers.
- (b) Advertising hoardings.

For Rural Electric Cooperative Societies (RESCOs), no demand and energy restrictions are imposed. However, RESCOs shall implement R & C measures to consumer categories as approved in this order.

11. Category wise Restrictions on Contracted Demand and Energy consumption are mentioned in para 12 to 15 below.

12. HT-I (B) Ferro Alloy Industry:

Consumers who fall under this category will have the option to indicate their choice either for option 1 or for option 2 mentioned below. The DISCOMs shall regulate supply to consumers under this category as per the option indicated by the consumer.

Option-1:

Power supply throughout the month with 66% contracted demand during off peak hours and 30% contracted demand during peak hours.

Permitted Demand Limits (PDL) under option - 1:

- (a) PDL during Off peak = $66\% \times \text{Contracted Maximum Demand}$
- (b) PDL during peak = $30\% \times \text{Contracted Maximum Demand}$

Permitted Consumption Limit (PCL) under option - 1:

- (a) PCL during Off peak
= $\text{CMD} \times 66\% \times 90\% \times 1(\text{PF}) \times \text{No. of off-peak hours in the month}$
- (b) PCL during peak
= $\text{CMD} \times 30\% \times 100\% \times 1(\text{PF}) \times \text{No. of peak hours in the month}$



14. HT-1 Other Industries:

Consumers under this category shall give their option in writing either for option-1, or for option -2, or for option-3 mentioned below to the concerned SE/operation with a copy to the concerned CMD/DISCOM.

The DISCOMs shall regulate supply to consumers under this category as per the option indicated by the consumer.

The voltage wise Load Factor shall be as mentioned in the table-2 to arrive at Permitted Consumption Limit (PCL).

Table-2

Sl. No.	Supply Voltage	LF for PCL	
		Off-Peak	Peak
1	EHT	70%	100%
2	33 kV	65%	100%
3	11 kV	60%	100%

Option 1:

Power supply throughout the month with 66% contracted demand during off peak hours and 10% contracted demand during peak hours.

Permitted Demand Limits (PDL) under option - 1:

- (a) PDL during Off peak = 66% x Contracted Maximum Demand for 30 days
(b) PDL during peak = 10% x Contracted Maximum Demand for 30 days

Permitted Consumption Limit (PCL) under option-1:

- (a). PCL during Off peak
= $CMD \times 66\% \times LF\% \times 1(PF) \times \text{No. of off-peak hours in the month}$
The LF shall be as mentioned in the table-2 based on the supply voltage.
- (b). PCL during peak = $CMD \times 10\% \times 100\% \times 1(PF) \times \text{No. of peak hours in the month}$

Option 2:

20 days power supply at a stretch and power holiday of 10 days. During 20 days power supply, 100% contracted demand during off peak hours and 10% contracted demand during peak hours is permitted. During power holiday period of 10 days, 10% of contracted is permitted for maintenance.



Option-1:

Power supply throughout the month with 66% contracted demand during off peak hours and 30% contracted demand during peak hours.

Permitted Demand Limits (PDL) under option - 1:

- (a) PDL during Off peak = 66% x Contracted Maximum Demand
- (b) PDL during peak = 30% x Contracted Maximum Demand

Permitted Consumption Limit (PCL) under option-1:

- (a). PCL during Off peak
= $CMD \times 66\% \times {}^A LF\% \times 1(PF) \times \text{No. of off-peak hours in the month}$
The LF shall be as mentioned in the table-1 based on the supply voltage.
- (b). PCL during peak = $CMD \times 30\% \times 100\% \times 1(PF) \times \text{No. of peak hours in the month}$

Option-2:

20 days power supply at a stretch and power holiday of 10 days in a month. During 20 days power supply, 100% contracted demand during off peak hours and 30% contracted demand during peak hours is permitted. During power holiday period of 10 days, 10% of contracted demand is permitted for maintenance.

Option - 3:

Staggered power supply for 20 days, like four days power supply in a week with 100% contracted demand during off peak hours and 20% contracted demand during peak hours. During power holiday period of 10 days, 10% of contracted demand is permitted for maintenance.

Permitted Demand Limits (PDL) under option - 2 or option - 3:

- (a) PDL during Off peak = 100% x Contracted Maximum Demand for 20 days
- (b) PDL during peak = 30% x Contracted Maximum Demand for 20 days
- (c) PDL during power holiday period= 10% of Contracted Demand for 10 days

Permitted Consumption Limit (PCL) under option-2 or option-3:

- (a). PCL during Off peak
= $CMD \times {}^A LF\% \times 1(PF) \times \text{No. of off-peak hours for 20 days.}$
The LF shall be as mentioned in the table-1 based on the supply voltage.
- (b). PCL during peak = $CMD \times 30\% \times 100\% \times 1(PF) \times \text{No. of peak hours for 20 days}$
- (c). PCL during power holiday = $CMD \times 10\% \times 1(PF) \times \text{No. of hours for 10 days.}$



27/32

HT - I:

100 % Contracted Demand is permitted throughout the month and shall limit energy consumption to the level of Permitted Consumption Limit (PCL) mentioned below:

Permitted Demand Limits (PDL):

PDL for both peak and off peak = 100% Contracted Maximum Demand

Permitted Consumption Limit (PCL)

PCL during a month = CMD x 66% x LF% x 1(PF) x 600 hrs.

The LF for HT-1, shall be as mentioned in the table-2 based on the supply voltage.

17. The Distribution Companies shall strictly implement these Restriction and Control (R&C) measures and all Consumers, for whom these measures are applicable shall cooperate with the Distribution Licensees in implementing the directions of the Commission. For any non compliance by a consumer, the Licensee shall take action as per the control measures mentioned in para 18.

The Licensees are directed to strictly implement these Restrictions and Control measures in true spirit. Any non-compliance of the order / directions by any Licensee, will attract punishment under section 142 of the Electricity Act, 2003.

18. Control measures:

- (a) No consumer shall exceed the PDL during peak or off peak period. If any consumer exceeds the PDL by a quantum less than or equal to 5% of PDL, the Distribution Licensee shall issue a warning notice for first violation in a month. For any subsequent violation, the service will be disconnected with out notice for 24 hours.

If any consumer exceeds the PDL by a quantum exceeding 5% of PDL, the Licensee shall disconnect the service connection for the following time period immediately after detection of violation:

- i) 48 hours disconnection for first violation.
- ii) 7 days disconnection for second time violation.
- iii) 15 days disconnection for third violation.
- iv) 1 month disconnection for fourth violation.



Option 3:

Staggered power supply for 20 days, like four days power supply in a week with 100% contracted demand during off peak hours and 10% contracted demand during peak hours. During power holiday period of 10 days, 10% of contracted demand is permitted for maintenance.

Permitted Demand Limits (PDL) under option - 2 or option - 3:

- (a) PDL during Off peak = $100\% \times \text{Contracted Maximum Demand for 20 days}$
- (b) PDL during peak = $10\% \times \text{Contracted Maximum Demand for 20 days}$
- (c) PDL during power holiday period = $10\% \text{ of Contracted Demand for 10 days}$

Permitted Consumption Limit (PCL) under option-2 or option -3:

- (a). PCL during Off peak
= $\text{CMD} \times \text{LF}\% \times 1(\text{PF}) \times \text{No. of off-peak hours for 20 days.}$
The LF shall be as mentioned in the table-2 based on the supply voltage.
- (b). PCL during peak = $\text{CMD} \times 10\% \times 100\% \times 1(\text{PF}) \times \text{No. of peak hours for 20 days}$
- (c). PCL during power holiday = $\text{CMD} \times 10\% \times 1(\text{PF}) \times \text{No. of hours for 10 days.}$

15. HT-II, LT-III and LT-II C

HT- II - Others:

- PDL (for both peak and off peak) = $80\% \times \text{Contracted Maximum Demand}$
- PCL = $\text{CMD} \times 80\% \times 70\% \times 1(\text{PF}) \times \text{No. of hours in the month}$

LT - III Industry:

No restrictions shall apply during off peak hours and during peak hours only lighting load is permitted.

LT - II C (Advertising Hoardings):

- PCL = Ninety units per month per kW of contracted load.

16. In case of feeders which are subjected to Load Relief (LR) by DISCOMs for durations of 4 hrs per day or more, the following Restriction and Control (R&C) measures shall be applicable:



- (c) The Distribution Licensees shall not collect Additional Consumption deposit from the consumers to whom these R&C measures are applicable, towards additional security for the year 2013-14, based on the previous year consumption till these Restrictions and Control (R&C) measures are in force.
- (d) The Distribution Licensees shall release additional loads for the services covered in para 21.
- (e) The Distribution Licensees shall not release additional loads for the existing services except those covered in para 21, till these restrictions are removed. However, the Distribution Licensees shall permit restoration of de-rated demand upto a demand less than or equal to de-rated capacity, on a request from any consumer.
- (f) The Licensees shall permit non-discriminatory open access to all HT consumers, subject to technical feasibility, and minimum procurement quantum of 100 kW during R&C period shall be allowed without reference to the clause 8.1 of Regulation No. 2 of 2005. The Distribution Licensees shall not levy cross subsidy surcharge and additional surcharge till these Restrictions are removed.
- (g) Consumers having Generating plants running in parallel with the Grid are exempted from Permitted Demand Limit (PDL) to the extent of start up power operations.
- (h) The Distribution Companies shall permit de-ration of contracted demand with in one month from the date of receipt of application during these Restriction and Control period without any minimum period of two years contractual obligation mentioned in Clause 5.9.3 of GTCS.
- (i) The distribution companies shall not allow drawal of power by welding sets during evening peak hours i.e., 18:00 Hrs to 22:00 Hrs and shall disconnect the power supply whenever this restriction is contravened.
- (j) The distribution companies shall not allow decorative lighting. The DISCOMs shall give wide publicity in news papers and educate consumers about banning of decorative lighting. The DISCOMs shall disconnect the power supply without any notice for non-compliance.

20. Working Instructions:

- (a) The Divisional Engineer (DE) and Assistant Divisional Engineer (ADE) operation shall be made responsible for effective implementation of these Restriction and Control measures. The Divisional Engineer and Assistant Divisional Engineer shall arrange reading of all HT services in their respective jurisdiction once in a



(b) Penal charges for non-compliance of R&C measures:

The Clause 6(8) (page- 208) of chapter XIV of Tariff Order 2013-14, specifies the penal charges to be paid by a consumer for exceeding the contracted demand. In view of the shortage scenario and in order to maintain grid discipline and equitable distribution of available power among different consumer categories, the following penal charges are approved in place of clause 6(8) of Tariff Order 2013-14 in addition to the measures mentioned in para (a) above.

- I. Demand Charges on excess over Permitted Demand Limit (PDL) shall be billed at the rate of 5 times of normal tariff, if the Demand consumed is less than or equal to 5% of PDL in a month.
- II. Demand Charges on excess over Permitted Demand Limit (PDL) shall be billed separately for peak and off-peak at the rate of 6 times of normal tariff for exceeding the PDL beyond 5% of PDL.
- III. For HT-II Consumers, energy charges on excess over PCL during off-peak period shall be billed at the rate of 5 times of normal tariff. Energy charges on excess over PCL during peak period shall be billed at the rate of 6 times of normal tariff consumed during that particular peak time period i.e., 18:00 Hrs. to 22:00 Hrs. of that day.
- IV. For HT-1 consumers, energy charges on excess over PCL during Off-peak period shall be billed at the rate of 6 times of normal tariff.
- V. Consumers opting for 20 days power supply, shall be billed at the rate of 6 times of normal tariff for exceeding PCL during off-peak hours of power holiday period.
- VI. For HT-1 consumers, energy charges on excess over PCL during peak period shall be billed at the rate of 7 times of normal tariff consumed during that particular peak time period, i.e., 18:00 Hrs. to 22:00 Hrs. of that day.
- VII. For LT II(c) consumers, energy charges on excess over PCL shall be billed at the rate of 5 times of normal tariff.

19. Specific conditions/provisions:

- (a) The Billing Demand shall be the maximum recorded demand during the month and clause 6 of Chapter (XIV) of Tariff Order 2013-14, shall not apply during these R & C measures. For consumers who opt for 20 days power supply, the demand charges shall be billed on pro-rata rate basis i.e., at the rate of 20/30 of the prescribed rate.
- (b) No deemed consumption charges shall be billed during Restriction and Control period for HT I b category.



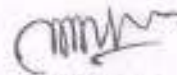
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- (p) National Informatics Centre
- (q) Naval Dock Yard, Visakhapatnam.
- (r) Nuclear Fuel Complex, Hyderabad.
- (s) News paper printing and Electronic media.
- (t) Oil exploration Service connections and Oil refineries.
- (u) Power supply to Irrigation construction projects.
- (v) Police Stations and Fire Stations.
- (w) Poultry farms including Hatcheries, Prawn Hatcheries, and Feed Mills.
- (x) Pumping stations being operated by HPCL, IOCL & BPCL.
- (y) Railway traction, Railway workshops, god sheds and Railway stations.
- (z) Religious places.
- (aa) Rice Mills.
- (bb) Sago Mills Industry.
- (cc) Seasonal Industries.
- (dd) Seed Processing Industry
- (ee) Security Printing Press (Government Mint, Hyderabad).
- (ff) Singareni Collieries, Ports, Telegraphs, A.I.R and Doordarshan.
- (gg) Solvent Extraction Plants
- (hh) Street Lights.
- (ii) Telephone Exchanges and Telecom Tower Supply connections
- (jj) Uranium Corporation of India.
- (kk) Water Works, Water pumping stations and Sewerage pumping stations.

The restrictions now imposed would be reviewed by the Commission from time to time based on the demand and supply position. These orders shall come into force w.e.f., meter reading date of April, 2013 and will be in force till meter reading date of June, 2013.

This order is signed by the Commission on this 17th day of April, 2013

(BY ORDER OF THE COMMISSION)


SECRETARY



week and get the readings. The readings along with inspection report mentioning incriminating points shall be submitted to the corporate office at the end of every week.

- (b) Apart from the above, the DISCOMs shall form special teams consisting of DPE, MRT and Operation wings. Each team will have a minimum of three officers headed by not below the rank of Divisional Engineer cadre and shall inspect 3 to 4 services every day and all HT services will be inspected weekly once. The inspecting team will submit a comprehensive report to the corporate office every day.
- (c) The inspecting team shall act as per para 18(a), for non-compliance of this order immediately.
- (d) The DISCOMs shall submit a comprehensive report to the Commission once in 15 days mentioning the details like, name of the service, CMD, PDL and PCL limits, Violations detected, number of services inspected, number of services disconnected etc. At the end of billing month, the DISCOMs shall submit a report to the Commission mentioning the service wise details of penal charges levied and collected.
- (e) The DISCOMs shall issue detailed working instructions to all the concerned officers and a copy shall be submitted to the Commission.

21. List of consumer categories exempted from the purview of R & C measures:

- (a) Andhra Pradesh Legislative Assembly / Andhra Pradesh Legislative Council.
- (b) Andhra Pradesh High Court.
- (c) Andhra Pradesh Secretariat.
- (d) APSRTC Depots and Zonal workshops.
- (e) Aadhaar Cards printing service connections
- (f) Central Government R & D units.
- (g) Cotton Ginning and Pressing
- (h) Dairies and Milk Chilling plants, Feed mixing plants, Cold storage plants, and Food processing & Food Preservation Plants.
- (i) Defense Establishments.
- (j) Drinking Water Supply Schemes.
- (k) Heavy water plant, Manuguru.
- (l) Hospitals.
- (m) Ice manufacturing Industry.
- (n) Medical oxygen manufacturing plants.
- (o) Medical Diagnostic Centers.



Sakshi - 30-5-2024


తెలంగాణ స్టేట్ ఎలక్ట్రిసిటీ రెగ్యులేటరీ కమిషన్
5వ అంతస్తు, సింగరేణి భవన్, రెడ్ హిల్స్, హైదరాబాద్-500004

ప్రసిద్ధిపరచు ప్రకటన

గౌరవనీయ ఉన్నత న్యాయస్థానం, W.P.నం.21936 ఆఫ్ 2018 & ఇతరములలో తమ కామన్ ఆర్డర్ తేదీ: 12-02-2020లో ఇచ్చిన ఆదేశాలకు అనుగుణంగా FY 2005-06 నుండి 2014-15ల కొరకు విద్యుత్ క్రాస్ సబ్సిడీ సర్చార్జ్ విధించు విషయంలో కమిషన్ స్టేట్ హోల్డర్ల నుండి అభ్యంతరాలు / సూచనలను స్వీకరించుటకు అఖిరి తేదీని 30-05-2024 నుండి 15-06-2024కు పొడిగించినది. 10-06-2024న 11:00 గంటల నుండి నిర్వహించుటకు షెడ్యూల్ చేయబడిన ప్రజాభిప్రాయ సేకరణ నాయక వేయబడినది మరియు ప్రజాభిప్రాయ సేకరణ తరువాతి తేదీ త్వరలోనే తెలియజేయబడుతుంది.

DIPR RO No.98-PP/CL/Adv/1/2024-25, Dt:29-05-2024 నం/- కమిషన్ సెక్రటరీ

The Hindu - 30-5-2024

 **TELANGANA STATE ELECTRICITY REGULATORY COMMISSION**
5th Floor, Singareni Bhawan, Red Hills, Hyderabad - 500 004

PUBLIC NOTICE

In the matter of determination of Cross Subsidy Surcharge to be levied for the FYs 2005-06 to 2014-15 pursuant to directions given by the Hon'ble High Court in its common Order dated 12.02.2020 in W.P.No.21936 of 2018 & Others, the Commission has extended the last date for receiving objections/ suggestion from stakeholders from 30.05.2024 to 15.06.2024. The Public hearing scheduled on 10.06.2024 from 11.0 AM onwards is postponed and next hearing date will be intimated shortly.

Sd/-
COMMISSION SECRETARY

DIPR R.O. No. : 8-PP/CL-AGENCY/ADVT/1/2024-25

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