



Uttar Pradesh Electricity Regulatory Commission

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SanjayK. Singh
Director (Licensing & Tariff)

Ref: UPERC/D(SKS)/08- 2322
Lucknow: Dated: 1st May, 2008

To,

The Chairman
UP Power Corporation Limited
Shakti Bhawan,
14 - Ashok Marg,
Lucknow

Subject: Corrigendum to Tariff Order FY 08-09 – Reg.

Sir,

With reference to the tariff order dated 15th April, 2008 for the Financial Year 2008-09, wherein there are certain typographical errors or inadvertent omissions/mentions, the same are being rectified and replaced by the corresponding items, as given below:

Point No. 1 : In Chapter 8 i.e. rate design, on page 188, the fixed charge has been shown as Rs. 55/kW/month under the approved head for more than 200 units per month. **The same should be read as Rs. 60/kW/month in accordance with the rate schedule given on page 265.**

Point No. 2 : Reference paragraphs for directives (No. 7 to 12) on page No. 226 under chapter 10 of the tariff order are missing due to formatting error. The Correct references are given in the following table

Sr. No	Ref.	Description of Directive for Discoms	Time Period for compliance from the date of issue of the tariff order
7	4.5.4	The Commission directs the licensee to explore the innovative modes of payment atleast in the cities having population of more than 10 lacs. Further the licensee shall keep the Commission updated about the progress on a quarterly basis.	Every Quarter



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8.	4.7.8	The licensees are directed to submit the monthly progress report on implementation of the scheme devised in the tariff order of FY 2006-07 linked with reduction of losses at transformer level.	Every Month
9.	4.9.4	The Commission directs licensees to submit the amount of security deposit adjusted in April 2007 and April 2008 against each category and for each discom/licensee within 3 months from the date of issue of this tariff order.	3 Months
10.	4.13.4	The Commission directs the licensees to submit the consumption history of off-peak and peak period for HV-2 category of consumers for FY 2006-07 and FY 2007-08 to assess the revenue impact of the application of TOD rates.	2 Months
11.	4.17.2	The Commission directs the licensees to comply with the previous year tariff order directive and submit study report on load requirement per tonne in case of Arc & Induction furnace within one month from the date of the tariff order.	1 Month
12.	4.17.8	The Commission directs the licensees to submit the report on cost of service as specified in section 6.3 of Distribution Tariff Regulations 2006 along within three months from the date of tariff order.	3 Months

Point No. 3 : Under Point No. 11 of the Rate Schedule for FY 2008-09 i.e. **Special Tariff for Air Conditioning Loads** following proviso would be read at the end of the clause -

“Provided that if the actual AC load exceeds the normative figure of 1.5 tonne/5 kW then the imposition of additional charge under this head shall be calculated subject to upper restriction of norm i.e. 1.5 tonne/5 kW.

Provided further that domestic load, if existing and is a part of the bulk load, should be excluded and spared from the application of these tariffs.



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However, if difficulty arises in segregating the domestic load then the same would be taken as 25% of the overall bulk load.”

Point No. 4 : Note 1 under sub point 2 i.e. **Others** of point No 3 i.e. **rate of charge** under Rate Schedule LMV-1 would be read as under:

“For all domestic consumers the maximum demand during the month recorded by the meter has to be essentially indicated in their monthly bills. However, this condition would be mandatory only in case meter reading is done by the licensee. Accordingly, if the bill is being prepared on the basis of reading being submitted by the consumer then the consumer would not be liable to furnish maximum demand during the month and his bill would not be held back for lack of data on maximum demand. Recording of such maximum demand will be used for the purposes of system planning and consumer education in the current tariff year.”

*This note would also be inserted below the table given in sub point (c) i.e. **in all other cases** under point 3 i.e. **Rate of Charge** under LMV-2 Rate Schedule.*

Point No. 5 : Annexure VI (A) para 1 Other Provisions ((ii) to be read as under :

“In the event of transfer of the employee, this tariff shall be applied at the new place of posting only when a certificate has been obtained from the concerned Executive Engineer of the previous place of posting, that the supply under this tariff has been withdrawn at previous place of posting. Further, the employee shall also be required to submit an affidavit that he is not availing the benefit of LMV-10 connection anywhere else in the State.”

Point No. 6 : On page 182, bullet No. 8, which reads as under

“To discourage unbridled use of air conditioners, for better and equitable management of demand during summer season, and additional flat rate



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of Rs. 150/tonne of actual AC load introduced on consumers with load above 5 kW under LMV-2, LMV-4, LMV-6 and HV-1 (with the exception of

*single point consumers feeding to multiple individuals i.e. consumers falling under point 1(c) of HV-1 rate schedule). Flat tariffs for AC loads to apply during the period April to September.” **Should not contain LMV-6, as given in the 4th line of the provision , in accordance with the rate schedule.***

Point No. 7 : On page No. 298 under charged for Tatkal Vidyut Sanyojan (Tatkal Connection) word LMV-1 is printed twice, which should be read as LMV-1, LMV-2 and LMV-9 categories

Point No. 8 : In point No. 9(a) under General Provisions for Rate Schedule for FY 2008-09 at page No 259, word “metering” stands deleted from 2nd line.

Point No. 9 : Para 8.13, page No. 172 would be read as under after insertion of words LMV-1, LMV-2 or LMV-6 category in the 3rd line from the bottom thereby making the content of the para consistent with the corresponding provision of Rate Schedule –

“Further, it requires to be emphasized that while designing the rates of charge, as applicable to HV categories, and also in some LMV categories, the Commission endeavoured to create rate bands in a manner so that high voltage consumers (excluding HV-1 category) averaged across the voltage levels and consumers involved in commercial activities form two distinct band slightly above cost of serve while, all consumption related to public utilities, where profit is not an objective, have been aligned in one band and the tariffs for this band is made to reflect more or less average cost of service. The Commission has also made a conscious effort not to burden the honest consumers and accordingly, under the scheme if a consumer of LMV-1, LMV-2 or LMV-6 category gives his willingness to the licensee to get installed a meter outside his premises for the purposes of metering and billing, then



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he would be provided a discount of 5% on energy charges applicable to them.”

Further, it also needs to be underlined that in case there is some conflict / inconsistency between the provisions and tariffs as given in rate schedule viz-a-viz the text and body of the order then the Rate Schedule would prevail and the same would be treated as final and binding. Hon'ble High Court in the matter of M/s LML Limited Vs. State of UP has clearly held that “the only thing which is to be seen is the tariff which has been finally approved by the Commission and not the reasoning or discussion made in the body of the order.”

This issues with the approval of the Commission.

Yours faithfully,

(Sanjay K. Singh)

C.C. :

1. The Managing Director, UP Power Corporation Limited, Shakti Bhawan, 14-Ashok Marg, Lucknow.
2. The Managing Director, Pachimanchl Vidyut Vitran Nigam Limited, Victoria Park, Meerut – 250 001
3. The Managing Director, Dakshinanchal Vidyut Vitran Nigam Limited, Vidyut Bhawan, Gailana Road, Agra.
4. The Managing Director, Madhyanchal Vidyut Vitran Nigam Limited, 4 Gokhle Marg, Lucknow – 226 001.
5. The Managing Director, Poorvanchal Vidyut Vitran Nigam Limited, 132 kV Sub Station, Bhikharipur, DLW, Varanasi- 221 010
6. The Managing Director, Kanpur Electricity Supply Company Limited, KESA House, Civil Lines, Kanpur.
7. Chief Executive Officer, Noida Power Company Limited, Commercial Complex, H-Block, Sector Alpha-II Greater Noida City – 201308.

(Sanjay K. Singh)