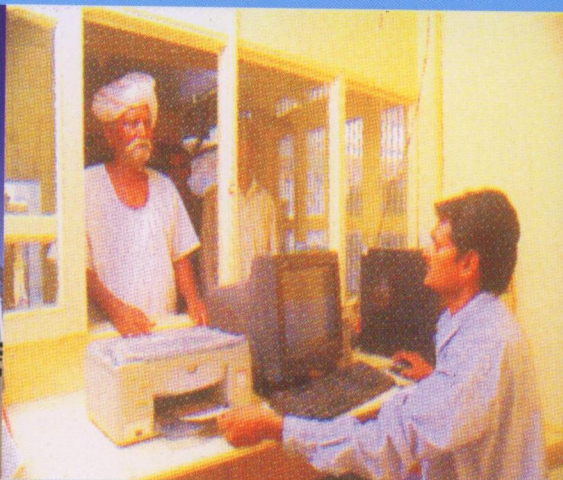


The Gujarat Electricity Regulatory Commission

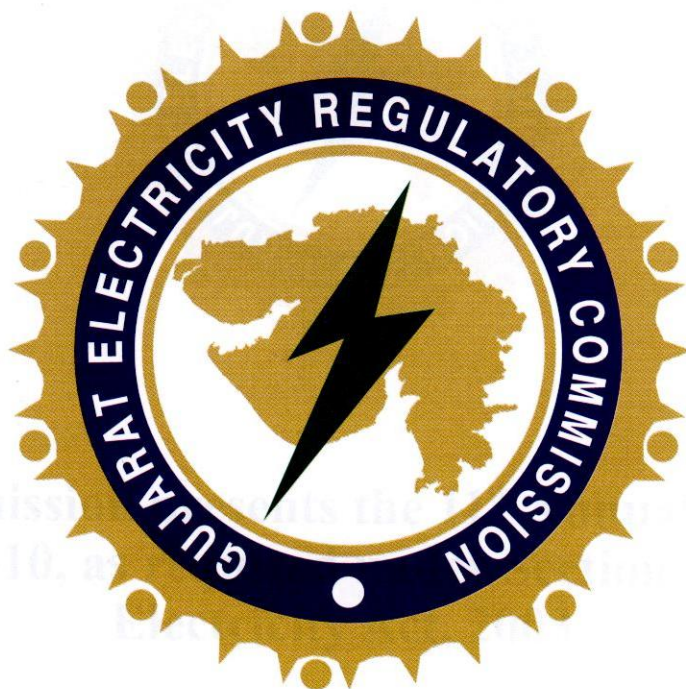


11th Annual Report 2009-10

1st Floor, Neptune Tower, Opp. Nehru Bridge, Ashram Road, Ahmedabad-380 009

THE GUJARAT ELECTRICITY REGULATORY COMMISSION

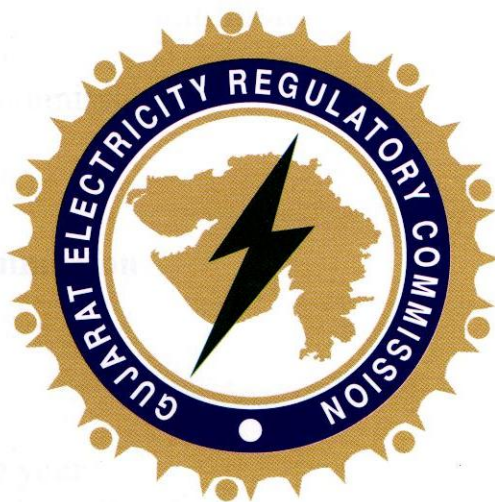
Eleventh Annual Report 2009-10



1st Floor, Neptune Tower,
Opp. Nehru Bridge, Ashram Road,
Ahmedabad 380 009

Website : www.gercin.org **E-mail :** gerc@gercin.org

THE GUJARAT ELECTRICITY REGULATORY COMMISSION



**The Commission presents the 11th Annual Report for
FY 2009-10, as required under Section 105 of the
Electricity Act, 2003.**

Dr. Ketan Shukla, IFS

Secretary

Gujarat Electricity Regulatory Commission



CONTENTS

Contents	...	I
Annexures	...	II
Abbreviations	...	III
From the Desk of the Chairman	...	IV-VI
Activity Highlights of 2009-10	...	VII-VIII
1. Organizational Setup of the Commission	...	01
1.1 The Commission	...	01
1.2 Office of the Commission	...	01
1.3 Infrastructure	...	01
1.4 Staff	...	02-03
2. Functions of the Commission	...	04
2.1 The mandate	...	04
2.2 The functions	...	04
2.3 Regulations	...	05
3. Activities during the year	...	06
3.1 Determination of Tariff	...	06
3.2 Determination of Tariff for the year 2009-10	...	06-12
3.3 Open Access-Transmission charges, Wheeling Charges and Cross-Subsidy Surcharges for the year 2009-10	...	13-15
3.4 Determination of Tariff for the year 2010-11	...	15-24
3.5 Open Access-Transmission charges, Wheeling Charges and Cross-Subsidy Surcharges for the year 2010-11	...	24-27
3.6 Status in the context of the National Electricity Policy	...	27-29
3.7 Status in the context of Tariff Policy	...	29-32
3.8 Renewable Sources of Energy	...	33-35
3.9 Disposal of Petitions & Appeals	...	36-37
3.10 License Applications	...	38
3.11 Implementation of order on Earth Terminal	...	39
3.12 Status of Intra-State ABT	...	39
3.13 Adjudication of Disputes and Differences	...	40
3.14 State Advisory Committee	...	41
3.15 Training Programme	...	42
3.16 FOR Meetings	...	43
3.17 FOIR Meetings	...	44
4. Annual Account	...	45-46



ANNEXURES

1.	Positions within the Commission	...	47
2.	Organizational Chart of the Commission	...	48
3.	Details of Petitions disposed of during 2009-10	...	49-51
4.	Details of Miscellaneous Applications disposed of during 2009-10	...	52
5.	Details of License Applications disposed of during 2009-10	...	53
6.	List of Regulations notified by the Commission	...	53-54
7.	Types of complaints received at Ombudsman's Office during 2009-10	...	55
8.	Number of representations received by the Ombudsman's Office against orders of CGRFs during 2009-10	...	56



ABBREVIATIONS

ABT	Availability Based Tariff
ARR	Annual Revenue Requirement
BPL	Below Poverty Line
CEI	Chief Electrical Inspector
CERC	Central Electricity Regulatory Commission
CERS	Consumer Education and Research Society
CIRE	Central Institute of Rural Electrification
CPP	Captive Power Plant
DGVCL	Dakshin Gujarat Vij Company Ltd
EI	Electrical Inspector
ESCI	Engineering Staff College of India
FOIR	Forum of Indian Regulators
FOR	Forum Of Regulators
FPPPA	Fuel and Power Purchase Price Adjustment
GEB	Gujarat Electricity Board
GERC	Gujarat Electricity Regulatory Commission
GETCO	Gujarat Energy Transmission Company Ltd.
GSECL	Gujarat State Electricity Corporation Ltd.
GUVNL	Gujarat Urja Vikas Nigam Ltd.
IIT	Indian Institute of Technology
IOC	Indian Oil Corporation Ltd
MGVCL	Madhya Gujarat Vij Company Ltd
NEP	National Electricity Policy
PDCRC	Permanent Disconnection Consumer Reconnection Charge
PGVCL	Paschim Gujarat Vij Company Ltd.
POC	Parallel Operation Charges
PPA	Power Purchase Agreement
RPPO	Renewal Power Purchase Obligation
SSNNL	Sardar Sarovar Narmada Nigam Limited
TPL	Torrent Power Limited
UGVCL	Uttar Gujarat Vij Company Ltd

From the Desk of Chairman

The Gujarat Electricity Regulatory Commission (GERC) was constituted, in pursuance of the provisions of the Electricity Regulatory Commission (ERC) Act, 1998, by the Government of Gujarat in the year 1998. The Commission started functioning from 19 April 1999. This was an important milestone in power sector reform. There were major changes in the legal framework with the enactment of the Gujarat Electricity Industry (Reorganization and Regulation) Act, 2003 and the Electricity Act, 2003. The GERC which was already in existence was deemed to be established under the relevant provisions of the above two Acts.

The Electricity Act, 2003 has significantly enlarged the functions, powers and responsibilities of the GERC. The Act has entrusted GERC with, in addition to tariff fixation, responsibilities/functions to create an environment conducive to promoting growth, efficiency and economy in the power sector as well as to safeguard the interests of the consumers.

Gujarat has made rapid strides in the growth and transformation of the power sector in recent times. At present the total power generating capacity of the state is 12,508 MW including its share from the central sector to the extent of 2,724 MW. In addition, the power generating capacity from renewable sources is to the extent of 1,823 MW. Efforts are being made so as to reach the power generating capacity of 18,759 MW (including central sector share of 4,610 MW) by the year 2012. There are also innovations such as Jyoti Gram Yojana(JGY) and e-Urja to improve access and quality of electricity in the state.

The GERC has contributed significantly to this endeavour by introducing a proactive, forward-looking and effective regulatory framework. During the last decade, the Commission has notified 27 Regulations, encompassing a wide range of subjects relating to electricity regulations. It has dealt with a large number of petitions and miscellaneous applications during this period. The tariff orders issued by the Commission are based on the fundamental principles enshrined in the Electricity Act that envisage balancing the interests of licensees and that of

consumers, thereby achieving the twin objectives of ensuring reasonable return to investors and at the same time protecting the interests of consumers. The overall objective is, of course, to ensure balanced and accelerated growth of the electricity sector.

A remarkable feature of the electricity scenario in Gujarat is that both the government owned utilities and those in the private sector have contributed immensely to the sustainable growth and development of the state besides achieving the key objective of the Electricity Act of providing to the consumers quality power at a reasonable price.

As it is well known, the issue of climate change poses serious challenges to the economic and social wellbeing of developing countries like India. The Government of India's National Action Plan on climate change affirms India's sustainable development priorities and provides a framework to address issues of climate change. The Electricity Act 2003, the National Electricity Policy and the Tariff Policy provide a legal and policy framework for green energy. Government of India has initiated a number of measures for promotion of renewable energy. The Jawaharlal Nehru National Solar Mission is an important initiative. There are also schemes of generation based incentives for wind energy, and solar roof-top projects, capital subsidy for biomass project and so on. Government of Gujarat has also made pioneering efforts in this direction.

Keeping the above aspects in view, the GERC has taken several new initiatives. It was the first State Regulatory Commission in the country to come out with a comprehensive tariff order on solar energy. It was initially subject to certain criticisms at the national level. It was felt that the tariff was unrealistic. As experience has shown, it was a bold initiative to strike a balance between the interest of investors and that of consumers. It was a rational approach for sustainable development of solar energy.

In recent times, GERC has updated its tariff and regulatory framework in respect of wind, biomass and bagasse based power projects. Taking into

consideration the increased cost and the changed economic scenario, it has addressed issues of tariff and other technical and commercial aspects. The Commission has revised the tariff for wind energy from Rs. 3.37 per unit to 3.56 per unit and allowed third-party sale without cross-subsidy. Project developers are allowed to wheel power at lower transmission and wheeling charges as a promotional measure.

In the context of the CERC regulation on Renewable Energy Certificate (REC), GERC was the first Commission in the country to incorporate the provisions of REC in its Regulations. The REC Mechanism is extremely important in the context of Renewable Power Purchase Obligation (RPO) so as to provide wider choice to generators, utilities and other entities and also to create a market mechanism for renewable energy. The Commission has revised the RPO percentage from 2 to 5, 6 and 7 percentages respectively for the years 2010-11, 2011-12 and 2012-13.

There has been tremendous focus on issues of consumer grievance redressal and public participation. As per the provisions of the Act, the State Advisory Committee and the Coordination Forum meet frequently to discuss various issues. Members of the State Advisory Committee have played an important role in contributing to various initiatives of the Commission. It is important to note that all the distribution utilities have established Consumer Grievances Redressal Forums. The Commission has introduced a system of regular interactions with the members of the Forums. The Commission for the first time appointed an independent Ombudsman on 31 December 2009.

This Annual Report presents not only various activities undertaken during the year but also a broad perspective of an innovative regulatory regime. The focus areas are: further development of renewable energy and clean power, better enforcement of standards of performance, improvement of consumer grievances redressal mechanism, increased competition, improved efficiency through distribution loss reduction and energy accounting and audit.

Dr .P. K. Mishra
Chairman

ACTIVITY HIGHLIGHTS OF 2009-10

- Mr.Pravinbhai Patel took over as a Member (Technical) on 6th August, 2009.

- Determination of Tariff for the year 2009-10 :

The Commission issued tariff orders for the year 2009-10 for Torrent Power Limited on 9 December 2009 and for the State Generation Company (GSECL), the State Transmission Utility (GETCO), Distribution Companies (UGVCL, MGVCL, PGVCL, DGVCL) on 14 December 2009. These were the second orders under the MYT regime.

- Determination of Tariff for the year 2010-11:

The Commission issued tariff orders for the year 2010-11 for the State Generation Company (GSECL), the State Transmission Utility (GETCO), Distribution Companies (UGVCL, MGVCL, PGVCL and DGVCL) and Torrent Power Limited on 31 March 2010.

- Disposed of 35 Petitions, 8 Misc. Applications and 4 License Applications.
- Issued wind Tariff order no.1/2010 on 30 January 2010
- Issued Solar Energy based generation Tariff Order no.2/ 2010 on 29 January 2010
- Annual Accounts and Annual Report for the year 2008-09 were published and placed before the State Legislative Assembly in February 2010
- Various Meetings were held as under:
 - State Advisory Committee : 4 December 2009
 - State Co-ordination Forum : 15 December 2009
 - Meetings on CGRFs : 18 January 2010

- Visit of Dignitaries:
 - Hon. Chairman of Applet Tribunal for Electricity(APPTTEL) Mr. Justice Karpaga Vinayagam visited Gujarat State during 21- 23 November 2009.
 - Mr.J .L. Bose, Chairman, MERC visited Gujarat State during 26-28 January 2010 and discussed various issues like staff pattern, Annual Report/ Annual Accounts/ Tariff Orders, Various Regulations etc with Hon. Member(Technical),Secretary and Deputy Director(Admin.&Act.).
- Dr.P.K.Mishra, Chairman, GERC attended the Orientation Programme of SERC Chairpersons organized by the Forum of Regulators (FOR) at IIM, Ahmedabad during 30 May 2009 to 7 June 2009 including a visit to London for exposure on Power Sector Reforms in U.K.
- Dr.P.K.Mishra attended as distinguished a participant, the SAARC Regional Workshop on Earthquake Risk Management at Islamabad, Pakistan organized by the SAARC Disaster Management Centre, New Delhi during 8-9 October 2009.
- Dr.P.K.Mishra participated in the Fourth World Forum on Energy Regulation organized by the World Forum on Energy Regulation (WFER IV) and Greek Regulatory Authority at Athens Greece during 18-22 October 2009.

1. ORGANIZATIONAL SETUP OF THE COMMISSION

1.1 THE COMMISSION

During the year, Dr. P.K.Mishra rendered his service as Chairman of the Commission. Shri Man Mohan, Member retired from the commission on 11th May, 2009. Shri Pravinbhai Patel was appointed as a Member of the Commission from 6th August, 2009. One Post of Member remained vacant during the year.

1.2 OFFICE OF THE COMMISSION

Shri P.S.Shah, IAS, Secretary of the Commission retired on 31st July, 2009. Shri M.N.Khalyani, Deputy Director(Admn.) looked after the work of the Secretary of the Commission from 1st August, 2009 to 18th September, 2009. Shri Sanjay Nandan Agrawal, IAS took over as Secretary of the Commission on 19th September, 2009.

The office of the Commission has been working from a rented building at Neptune Tower, Ashram Road, Ahmedabad-380009.

1.3 INFRASTRUCTURE

Office Building: The Commission has a well-equipped office with a Courtroom for conducting hearing of petitions and appeals, a Conference Hall for conducting meetings and a Library for access of records, information and literature. It also holds online single user license of Supreme Court Cases for helping the Commission access necessary judicial references.

Government of Gujarat has allotted 5000 sq.mets. land of survey no.102 at Sarkhej-Gandhinagar Highway, behind Nirma University, Ahmedabad to construct a new office Building.

Local Area Network (LAN) and Website Hosting: The computer systems in the Commission's Office are connected through LAN. The system is useful for access of any reference information. The Commission has its own website, www.gercin.org, which is regularly maintained and updated by the Commission's Secretariat. The website of the Commission has recently been redesigned with a view to making it more user- friendly. The website is used for announcing the hearing schedules, news, updates, issuing orders and inviting comments on concept papers, regulations and petitions. It also provides information on Consumer Grievances Redressal Forums and

Ombudsman and guides the consumers for redressal of their grievances. Further, documents such as notified Regulations, Orders and Reports are also available in downloadable formats on the website.

1.4 STAFF

The staff of the Commission are appointed either through direct recruitment or on contract or deputation basis. Annexure 1 shows the staff position in the Commission and Annexure 2 shows the organizational chart. The details of officers and staff of the Commission (as on 31st March, 2010) are given below:

Sr. No.	Name of the employee	Designation
1	Shri P. S. Shah, I.A.S (Upto 31-07-2009) Shri Sanjay Nandan Agrawal, I.A.S (From 19-09-2009)	Secretary
2	Shri M.N.Khalyani, G.A.S	Dy. Director (Admin & Accounts)
3	Shri D. R. Parmar	Joint Director (Technical)
4	Shri S. R. Pandey	Legal Advisor
5	Shri B.S.Jaiswal (up to 31-03-2010)	Consultant (Legal) Retired District Judge
6	Smt. Malaben y. Shah (From 08-01-2010)	Consultant (Legal)
7	Shri B.R.Joshi	Consultant Technical
8	Mrs. A.S.Dani	Deputy Director (Technical)
9	Shri S.T.Anada (From 06-08-2009)	Deputy Director
10	Shri G.H.Patel (From 23-11-2009)	Deputy Director
11	C.N.Bhatt	Accounts Officer (Class - I)
12	Shri D.R Parmar	Executive
13	Shri D.T.Shah	Executive
14	Shri N.B.Patel (Upto 01-12-2009)	Executive
15	Ms. D.S. Mehta (Upto 11-08-2009)	Executive
16	Shri R.P.Jani (From 18-11-2009)	Executive
17	Shri Jignesh Makwana (From 01-01-2010)	Executive
18	Smt. Kajal B. Chaudhari (From 28-01-2010)	Executive
19	Shri P.R.Sasi	Personal Assistant
20	Shri Baby Varghese	Personal Assistant
21	Shri R.G.Pillai	Personal Assistant
22	Shri R.P.Nair	Personal Assistant
23	Smt. P.A. Christian	Personal Assistant

- In addition, there are five Drivers-cum-Attendant and four Peons-class IV employees in the commission.

2. FUNCTIONS OF THE COMMISSION

2.1 THE MANDATE

The Electricity Act, 2003, aims at consolidating the laws relating to generation, transmission, distribution, trading and use of electricity; generally taking measures conducive to development of electricity industry; promoting competition therein; protecting interest of consumers; ensuring supply of electricity to all areas; rationalisation of electricity tariff; ensuring transparent policies regarding subsidies; promotion of efficient and environmentally benign policies; constitution of the Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal for electricity. It also aims to create an enabling framework conducive to development of the Power Sector in an open, non-discriminatory, competitive, market driven environment, keeping in view the interest of the consumers as well as of the suppliers of power. In this context the role of the commission is pivotal in order to realise the objectives envisaged in the Electricity Act.

2.2 THE FUNCTIONS

According to section 86 of the Electricity Act, 2003 the Commission is mandated to carry out the following functions:

- a) Determining the tariff for generation, supply, transmission, distribution and wheeling of electricity, wholesale, bulk or retail, as the case may be, within the State: Provided that where open access has been permitted to a category of consumers under section 42, the State Commission determines only the wheeling charges and surcharge thereon, if any, for the said category of consumers;
- b) Regulating the electricity purchase and procurement process of distribution licensees including the price at which electricity is to be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State;
- c) Facilitating intra-state transmission and wheeling of electricity;
- d) Issuing licenses to persons seeking to act as transmission licensees, distribution licensees and electricity traders with respect to their operations within the State;
- e) Promoting cogeneration and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specifying, for purchase of electricity from such

sources, a percentage of the total consumption of electricity in the area of a distribution licence;

- f) Adjudicating upon disputes between licensees and generating companies and to refer any dispute for arbitration;
- g) Levying fee for the purposes of The Act;
- h) Specifying State Grid Code consistent with the Grid Code specified by the Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of The Act;
- i) Specifying or enforcing standards with respect to quality, continuity and reliability of service by licensees;
- j) Fixing the trading margin in the intra-State trading of electricity, if considered, necessary;
- k) Discharging such other functions as may be assigned to it under the Act;

2.3 Regulations

The Commission has so far issued 27 Regulations, as detailed in Annexure 6.

3. ACTIVITIES DURING THE FINANCIAL YEAR 2009-10

3.1 Determination of Tariff

During the year, the Commission issued tariff orders for all the utilities operating in the State for 2 (two) consecutive years of the MYT control period of 2008-09 to 2010-11. They are,

- (i) Tariff orders for the 2nd year of the MYT control period viz. 2009-10, were issued in December 2009.
- (ii) Tariff orders for the 3rd year of the MYT control period viz. 2010-11, were issued in March 2010.

Highlights of the orders are detailed below.

3.2 Determination of Tariff for the year 2009-10

3.2.1 Torrent Power Limited

Torrent Power Limited (TPL) is a private electricity company having generation facility in Ahmedabad and distribution Licenses for Ahmedabad and Surat areas. The TPL filed the petition for annual Performance Review (APR) for the year 2008-09 and for Tariff Determination & Aggregate Revenue Requirement for the year 2009-10 on dated 12th May 2009.

The GERC examined the petitions keeping in view the procedures laid down under the Electricity Act, 2003 and the relevant Rules and Regulations. The Commission invited comments from public and stakeholders on the petition, and public hearing was held on 3rd, 5th and 12th October 2009. Suggestions and objections were received from 30 stakeholders. Several individuals, business associations like Chambers of Commerce and Industries, Industrial Associations and Consumer organizations participated in the hearing and put forward their views. The Commission issued its order on TPL petitions on 9 December 2009. Main features of Commission's order on tariff petition of TPL are as under.

In the Multi-Year Tariff (MYT) order, for the control period of 2008-09 to 2010-11, the Commission had approved distribution losses of 6% for Surat distribution area and 10.43% for Ahmedabad-Gandhinagar distribution area for the year 2008-09. However, the actual distribution losses achieved by TPL are 5.51% in Surat area and 8.69% in

Ahmedabad-Gandhinagar area for the Year 2008-09. The achievements with respect to reduction in distribution losses were commended by the Commission.

The net generation from TPL's Power Stations at Sabarmati and Vatva during the year 2008-09 was 100 million units which was higher than the generation projected in the MYT Order for the year. Thus, the generating stations achieved better performance than as estimated in the MYT order.

The SUGEN power project (3 x 376 MW) was commissioned and is fully operational since August 2009. Distribution areas of Surat and Ahmedabad-Gandhinagar are getting supply from SUGEN. Being an inter-state mega-power project, the tariff for electricity generated at SUGEN is determined by the Central Electricity Regulatory Commission.

The actual sale in Ahmedabad-Gandhinagar area during the year 2008-09 was 4,737 MU as against 4,922 MU estimated in MYT Order. Similarly, the sale in Surat distribution area during the year 2008-09 was 2,907 MU as against estimated sale of 3,186 MU. The economic slowdown has led to drop in sale during the year 2008-09.

Based on the annual performance review of the year 2008-09, the Commission revised Aggregate Revenue Requirement (ARR) for the year 2009-10 of Ahmedabad-Gandhinagar distribution area and Surat Distribution area. Accordingly, the net ARR of Ahmedabad-Gandhinagar area for the year was revised to Rs. 1,945 crore as against the earlier estimate of Rs. 2,195 crore and for Surat distribution area, the net ARR was revised to Rs. 1,223 crore as against the earlier estimate of Rs. 1,375 crore. The resultant gap for year 2009-10 worked out to Rs. 41 crore for Ahmedabad-Gandhinagar distribution area and Rs. 132 crore for Surat distribution area.

However, as the major part of year 2009-10 had elapsed and as the licensee was required to file annual performance review for the year 2009-10 and tariff proposal for 2010-11 by December 15, 2009, the Commission decided not to revise tariff rates and directed TPL to continue to charge at the then prevailing rates.

3.2.2 State owned Power Utilities

The following State owned Electricity Utilities filed their petitions for annual Performance Review (APR) for the year 2008-09 and for Tariff Determination & Aggregate Revenue Requirement for the year 2009-10 on 21st August 2009 before the Gujarat Electricity Regulatory Commission (GERC), under the Multi-Year Tariff (MYT) framework.

1. Gujarat State Electricity Corporation Ltd (GSECL) - The State Generation Company
2. Gujarat Energy Transmission Corporation Ltd (GETCO) - The State Transmission Company
3. Uttar Gujarat Vij Company Ltd (UGVCL) – The Distribution Company for North Gujarat
4. Dakshin Gujarat Vij Company Ltd (DGVCL) – The Distribution Company for South Gujarat
5. Madhya Gujarat Vij Company Ltd (MGVCL) – The Distribution Company for Central Gujarat
6. Paschim Gujarat Vij Company Ltd (PGVCL) – The Distribution Company for Western Gujarat
7. State Load Dispatch Centre (SLDC)

The GERC examined the petitions keeping in view the procedures laid down under the Electricity Act, 2003 and the relevant Rules and Regulations. The Commission invited comments from public and stakeholders on the petitions of the utilities, and public hearing was held on 29th and 30th October 2009. Suggestions and objections from 21 stakeholders received. Several individuals, business associations like Chambers of Commerce and Industries, Industrial Associations and Consumer organizations participated in the hearing and put forward their views. The Commission issued its order on these utilities' petitions on 14 December 2009.

Some important aspects of the orders are given below:

3.2.2.1 Gujarat State Electricity Corporation Ltd. (GSECL)

GSECL is the state owned generation company of Gujarat and the main source of electricity for the Distribution licensees in the state

- a) The Commission observed that the electricity generation from the power stations of the GSECL during the year 2008-09 was 28,388 million units as against 29,949 million units estimated in the MYT Order.

- b) The Commission noted that due to increase in fuel prices of imported coal and gas, the actual cost of generation during the FY 2008-09 from thermal plants was 28% higher than that estimated in the MYT Order.
- c) As almost all generating stations of GSECL operated during 2008-09 at lower level of performance than that envisaged in the MYT order, the Commission, in accordance with the MYT Framework, allowed GSECL to recover only one-third of incremental cost of generation due to lower level of efficiency in the operations of power plants.
- d) The Commission approved the fixed cost for the year 2009-10 of Rs. 2,049 crores as against Rs 2,191 crores proposed by GSECL.
- e) For the year 2009-10, the Commission allowed GSECL to recover the variable charges at the rates estimated in MYT order.

3.2.2.2 Gujarat Energy Transmission Corporation Ltd. (GETCO)

GETCO is the State Transmission Utility (STU) owning and operating the main EHV network in the state.

GETCO performed well during the year 2008-09 in respect of system availability and achieved 99.56% availability as against estimated figure of 99.33%. The availability of various sub-systems of STU was: 400 KV lines (99.69%), 220 KV lines (99.03%), 132 KV lines (98.95%), 66 KV lines (99.52%) and substations (99.77%).

In the Multi-Year Tariff (MYT) order, for the transmission network of the GETCO, the Commission had approved transmission loss of 4.09% for the year 2008-09. However, the actual transmission loss worked out to 4.30%. GETCO, in its petition, had proposed a transmission loss at 4.50% for the Year 2009-10 which was not allowed by the Commission and GETCO was directed to reduce the losses to 4.25%.

No change was allowed in respect of transmission charges of GETCO for the Year 2009-10. The Commission directed GETCO to continue to charge the prevailing rate during 2009-10 i.e. Rs 2410/ MW/ Day.

GETCO added 60 Nos. of EHV sub-stations and 1,027 Ckt-Kms of EHV transmission lines during the Year 2008-09 at a capital expenditure of Rs.813.08 crores against Rs. 756.07 crores approved in MYT order. The increase in the capital expenditure was

because of augmentation of the existing capacity to meet the current and future load demand, for undertaking renovation and modernization works.

The Commission approved capital expenditures of Rs.1,393 crores for the financial years 2009-10 for capacity additions through new transmission lines, sub-stations and renovations, modernization and augmentation of the transmission system.

3.2.2.3 State Load Dispatch Centre

In order to promote competition in Electricity sector, it is necessary to encourage open access as envisaged in the Electricity Act, 2003. For this purpose, independence in the working of State Load Dispatch Centre is vital. In this regard, Ministry of Power advised States for ring-fencing and autonomous functioning of load dispatch centres. Accordingly, the Commission had directed GETCO to segregate the accounts and file separate 'Annual Revenue Requirement' (ARR) of the State Load Dispatch Centre (SLDC) from the year 2009-10 onwards. Consequently, the SLDC, for the first time, filed a petition for determining its ARR for the year 2009-10. The Commission analyzed the petition of the SLDC, and approved an ARR of Rs. 18.5 crores for the year 2009-10.

3.2.2.4 Distribution Companies (MGVCL, UGVCL, DGVCL & PGVCL)

There are four State Government owned distribution companies in Gujarat namely UGVCL, DGVCL, MGVCL, and PGVCL. All distribution licensees except PGVCL have achieved distribution loss at levels below 15%, which indicates improved performance.

The details of estimated and actual distribution losses in the distribution networks of the four state owned distribution companies for the year 2008-09 are given below:

Name Of DISCOM	Estimated in MYT order	Actual
Uttar Guj Vij Co (UGVCL)	16.00 %	14.57 %
Dakshin Guj Vij Co (DGVCL)	14.45 %	14.78 %
Madhya Guj Vij Co (MGVCL)	15.00 %	14.52 %
Paschim Guj Vij Co (PGVCL)	30.00 %	32.11 %

Except PGVCL, all the Discoms had shown better performance in loss reduction activities.

Based on the annual performance review for the year 2008-09, the Commission revised Aggregate Revenue Requirements (ARR) and the resultant gap for the year 2009-10 of these distribution licensees as follows-

(In Rs.crore)

Name Of DISCOM	ARR	(Gap)/Surplus
Uttar Gujarat Vij Co. Ltd.	4,107	(560)
Dakshin Gujarat Vij Co.	3,907	91
Madhya Gujarat Vij Co.	2,349	75
Paschim Gujarat Vij Co.	5,341	(473)
Total	15,704	(867)

However, as the major part of year 2009-10 had elapsed and as the licensees were required to file annual performance review for the year 2009-10 and tariff proposal for 2010-11 by December 15, 2009, the Commission decided not to revise tariff rates and had directed Distribution Licensees to continue to charge at the then prevailing rates.

New tariff for agriculture

With a view to encouraging lift irrigation schemes in the command area of the Sardar Sarovar Project, the Commission accepted a proposal regarding introducing a new tariff category for Low-Tension connection for lift irrigation schemes. Accordingly, the installations having connected load up to 125 BHP requiring electricity supply for lifting water from surface water sources such as canal, river, and dam and supplying water directly to the fields of farmers were covered under this category. The energy charges of Rs. 1.60 per kWh and fixed charge of Rs. 25 per BHP per month made applicable to them.

3.3 Open Access – Transmission Charges, Wheeling Charges and Cross-Subsidy Surcharges for the year 2009-10

3.3.1 State Utilities

As major portion of the FY 2009-10 had elapsed, the Commission decided to continue with the then existing Transmission Charges, Wheeling Charges and Cross Subsidy Surcharge. The Commission decided to review the same during the ARR and Tariff Determination process of FY 2010-11.

3.3.1.1 Transmission Charges

The transmission charges as given below were applicable for the use of transmission system of GETCO, the transmission licensee, by Generating Companies, Distribution Licensees, other licensees and also for consumers who are permitted open access under section 42 (2) of the Electricity Act 2003.

The Commission in its tariff order approved transmission charges for GETCO network for 2008-09 as Rs. 2,410/MW/Day and the same continued for the year 2009-10. Accordingly, the transmission charges payable by long-term open access and short-term open access users are –

Long-term open access users = Rs. 2,410/MW/Day

Short-term open access users = Rs. 603/MW/Day (i.e. of ¼th of LTOA Charges)

The transmission charges for short-term open access users based on the number of hours for which the open access granted:

(a)	Upto 6 hours in a day in one block – (1/4 of Short-term rate i.e. $1/4 \times 603$)	=	Rs.151 / MW
(b)	More than 6 hours and upto 12 hours in one block (1/2 of Short-term rate i.e. $1/2 \times 603$)	=	Rs. 302 / MW
(c)	More than 12 hours upto 24 hours in one block (Full short-term rate)	=	Rs. 603 / MW

In addition, the applicable system losses (4.09 %) and other charges as in Commission's open access Regulations will also be charged.

3.3.1.2 Wheeling Charges

The wheeling charges for the four Distribution companies – DGVCL, MGVCL, PGVCL and UGVCL - for the year 2009-10, second year of the control period (2008-09 to 2010-11) as given below was applicable for use of the distribution system of a licensee by other licensees or generating companies or captive power plants or consumers permitted open access under section 42 (2) of the Electricity Act 2003.

1	Wheeling charges at 11 KV	Ps / kWh	13.48
2	Wheeling charges at 400 V (LT)	Ps/kWh	44.93

In addition to above, the energy loss required to be compensated in kind, by the open access users as detailed below.

Point of injection	Point of energy delivered	
	11 KV	400 Volts
11 KV, 22 KV and 33 KV	10.01%	18.57%
400 volts	-	9.51%

The above wheeling charges payable were uniform for all the four distribution companies – DGVCL, MGVCL, PGVCL and UGVCL.

3.3.2 Torrent Power Limited

The wheeling charges for Torrent Power Limited at 11 KV voltage level for the years 2009-10 are given in Table A below:

Table-A
Wheeling charges at 11 KV and LT Voltage level (Torrent Power Ltd)

Part P	Ps/kWh	
	Ahmedabad-Gandhinagar License area of TPL	Surat License area of TPL
Wheeling charges at 11 kV Voltage level	20.67	15.91
Wheeling charges at LT Voltage level	69.04	41.63

In addition, 4% of energy in kind will be deducted from the energy input towards loss in EHT/HT network and 4.75% of energy will be deducted towards loss in LT network of Distribution Licensees.

3.3.3 Cross-Subsidy Surcharge

For the year 2009-10 the Commission continued the cross-subsidy surcharge at the rates prescribed earlier, which are

- (A) For State Discoms –51 Ps/ kWh
- (B) For TPL,
 - (i) Ahmedabad-Gandhinagar area – 52 Ps/kWh
 - (ii) Surat Area – 73.65 Ps/kWh

3.4 Determination of Tariff for the year 2010-11

3.4.1 Torrent Power Limited

Torrent Power Limited (TPL) is a private electricity company having generation facility in Ahmedabad and distribution License for Ahmedabad and Surat areas. TPL filed its petition for Annual Performance Review (APR) for FY 2009-10 and Tariff Determination and Aggregate Revenue Requirement (ARR) for FY 2010-11 on 15th December 2009. The petition was examined by the Commission and public hearing was conducted on 23rd February, 24th February and 3rd March 2010. The Commission issued its order on the petition on 31st March 2010. Main features of Commission's order on tariff petition of TPL are as under:

TPL Generation

The generation from TPL's Power Stations at Sabarmati and Vatva during the year 2009-10 was expected to be 4127 million units which was 272 million units higher than that estimated in the MYT Order.

The commercial operation of SUGEN power plant commenced from August, 2009 and supplied about 3480 million units to the Ahmedabad, Gandhinagar and Surat areas during the year 2009-10.

TPL Distribution

The Multi Year Tariff (MYT) order envisages distribution losses for the year 2009-10 as 6% and 10.25% for Surat and Ahmedabad distribution areas respectively. However, the actual distribution losses were 5.38% and 10.19% during the first six month of 2009-10. The Commission complimented TPL for its performance.

Based on the annual performance review of the year 2009-10, the Commission revised Aggregate Revenue Requirement (ARR) for the FY 2010-11. Accordingly, ARR of Ahmedabad-Gandhinagar area was revised to Rs. 2185 crore as against earlier estimates of Rs. 2319 crore (MYT Order). Similarly, ARR of Surat area revised to Rs. 1262 crore as against earlier estimates of Rs. 1445 crore.

In order to fill a part of the gap in the ARR and in view of the rationalization of the tariff structure, the Commission allowed a tariff increase ranging from 5 to 20 paisa per unit of energy. The average increase was 9 paisa per unit. The percentage of increase was 2.27% as against 15% tariff hike prayed by the Torrent Power Limited.

The revenue, because of tariff restructuring, for the Torrent Power Limited-Ahmedabad-Gandhinagar and Surat area was estimated to increase by Rs. 75 crores.

However, it was anticipated that the moderate increase in tariff would not put any additional burden on consumers, because the FPPPA charges were expected to be reduced from 1st April, 2010.

Important Directives of the Commission to TPL

Torrent Power Limited has been asked to submit separate audited accounting statements for Generation, Ahmedabad Distribution and Surat Distribution as part of annual submission to the Commission.

TPL has also been asked to submit the cost-benefit analysis of Capital Expenditure schemes of the FY 2010-11 within three months.

TPL has been asked to give wide publicity to the procedure for having facility of own meter by consumer. TPL has welcomed the initiative.

Highlights of the tariff order for TPL

Rationalization of Retail Tariff

- Introduction of tariff for the BPL families of Ahmedabad, Gandhinagar and Surat. For the first time a separate tariff for BPL families was introduced. It is fixed at Rs. 1.50 per kWh for 30 units of monthly consumption in line with a similar tariff fixed for State owned utilities.
- For Surat, the HT tariff categories HTMD-1 and HTMD-2 merged into one category HTMD-1. A separate category for HT for pumping stations created.
- Earlier there were separate categories for manufacturing and service/commercial consumers. There were difficulties in classifying consumers into different categories in the context of structural changes in the economy during the recent decades. Further, most of the HT consumers had mixed use of power, namely, for manufacturing facilities, office building and residential townships. Consequently, there were operational problems. The rationalization aims to resolve most of these problems by removing ambiguity and bringing in clarity.
- For Surat, the number of slabs in respect of residential and commercial categories was reduced to have a simpler tariff structure.
- Previously for Surat, demand based tariff LTMD was applied only for consumers having contracted load of more than 50 HP. Any excess consumption over the contracted load was considered as unauthorized. In order to address such problems, consumers with contracted load of 15 HP and above are also covered by demand based tariff.

3.4.2 State owned Power Utilities

The following State owned Power Utilities filed their petitions before the Gujarat Electricity Regulatory Commission (GERC), for Annual Performance Review (APR) for FY 2009-10 and Tariff Determination and Aggregate Revenue Requirement for FY 2010-11 under the Multi-Year Tariff (MYT) framework.

1. Gujarat State Electricity Corporation Ltd (GSECL)
2. Gujarat Energy Transmission Corporation Ltd (GETCO)
3. Uttar Gujarat Vij Company Ltd (UGVCL)
4. Dakshin Gujarat Vij Company Ltd (DGVCL)
5. Madhya Gujarat Vij Company Ltd (MGVCL)
6. Paschim Gujarat Vij Company Ltd (PGVCL)
7. State Load Dispatch Centre (SLDC)

The GERC examined the petitions keeping in view the procedures laid down under the Electricity Act, 2003 and the relevant Rules and Regulations. The Commission invited comments from public and stakeholders on the petitions of the utilities, and a public hearing was held during 25th to 26th February and 3rd March, 2010. Suggestions and objections from 31 stakeholders were received. Several individuals, business associations like Chambers of Commerce and Industries, Industrial Associations and Consumer organizations participated in the hearing and put forward their views. The Commission issued its orders on the above petitions on 31 March 2010. For the first time Commission prevailed upon the utilities to submit their petitions on time and the Commission issued its orders within shortest possible time.

Some important aspects of the orders are given below -

3.4.2.1 Gujarat State Electricity Corporation Ltd. (GSECL)

GSECL is the state owned generation company of Gujarat and the main source of electricity for the Distribution licensees in the state.

- a) The Commission observed that the projected electricity generation from the power stations of the GSECL during the year 2009-10 was 27,502 million units as against 29,975 million units estimated in the MYT Order.
- b) GSECL has been directed to improve its performance parameters particularly in respect of the Kutch lignite and Sikka Power Stations.
- c) GSECL has been directed to adopt the technical parameters recommended by the Central Electricity Authority based on a recent study of the power stations of GSECL.

- d) The Commission has approved the fixed cost for the year 2010-11 as Rs. 2,296 crores as against Rs 2,288 crores proposed by GSECL.
- e) For the year 2010-11, the Commission has revised the energy charges for each of the generating stations of GSECL, based on the recommendation of the CEA study with regard to the operating parameters and the fuel related parameters approved under the MYT Order.

3.4.2.2 Gujarat Energy Transmission Corporation Ltd. (GETCO)

GETCO is the State Transmission Utility (STU) owning and operating the main EHV network in the state.

During the first 6 months of 2009-10, the transmission system availability was 99.59% as against the earlier estimate of 99.36%. For the year 2010-11, the system availability was revised to 99.62% against the earlier estimate of 99.40%. The Commission commended the performance of GETCO in this aspect

GETCO in its petition had requested for approval of transmission losses at 4.95%. The Commission did not agree to this. The Commission allowed transmission losses at 4.20% for the year 2010-11 and GETCO has been directed to improve its performance in this regard.

Commission approved an aggregate revenue requirement of Rs. 1357 crores for the year 2010-11 against Rs. 1704 crores estimated by GETCO.

Looking to the projected capacity addition during 2010-11, the capital expenditure has been estimated to Rs. 1975 crores, against Rs. 1435 crores estimated in the MYT order.

The Commission revised the transmission charges to Rs. 2720 per MW per day as against Rs. 3064 per MW per day suggested by GETCO in its petition.

3.4.2.3 State Load Dispatch Centre

The Commission revised SLDC charges from Rs. 540 to Rs. 520 per MW per month and SLDC fee from Rs. 275 to Rs. 375/- per MW per six months for the Year 2010-11. The Commission approved ARR of SLDC for the Year 2010-11 as Rs.20.82 crores.

3.4.2.4 Distribution Companies (MGVCL, UGVCL, DGVCL & PGVCL)

There are four State Government owned distribution companies in Gujarat, namely, UGVCL, DGVCL, MGVCL and PGVCL.

The details of estimated distribution losses in the distribution networks of the four state owned distribution companies for the year 2009-10 are given below:

	2009-10	2010-11
Uttar Guj Vij Co	18.00	15.00
Dakshin Guj Vij Co	14.53	12.45
Madhya Guj Vij Co	14.00	14.00
Paschim Guj Vij Co	31.50	30.00

Highlights of the tariff order for State Discoms

Rationalization of Retail Tariff

- The HT tariff categories HTP-I, HTP-IIA and HTP-IIB have been merged into one category HTP-I. A separate HT category for pumping stations had been created.

Earlier there were separate categories for manufacturing, service/commercial consumers and others. There were difficulties in classifying consumers into different categories in the context of structural changes in the economy during the recent decades. Further, most of the HT consumers had mixed use of power, namely, for manufacturing facilities, office building and residential townships. Consequently, there were operational problems and a number of litigations in the court. The rationalization would solve most of these problems by removing ambiguity and bringing in clarity.

- The number of slabs in respect of residential and commercial categories were reduced to have a simpler tariff structure.
- In the LFD-I (rural category) residential tariff rates was applicable to even commercial activities in residential premises located in villages with a population of ten thousand or less. The population criterion has been removed and the provision has been made applicable to all gram panchayats to benefit the people in Rural Areas.

Commission's Directives to State Utilities

Based on the review of performance for the year 2009-10 and also the Annual Revenue Requirement for 2010-11 in respect of the power utilities, the GERC issued several directives, some of which are enumerated below:

- The Gujarat State Electricity Corporation Ltd (GSECL), which is a generating utility, has been asked to improve the performance of power stations by taking up effective renovation and modernization of the generating units. It is also required to obtain better quality of coal (both indigenous and imported) at competitive prices, so that there is no unavoidable increase in the cost of fuel.
- The Gujarat Electricity Transmission Corporation Ltd (GETCO) has been asked to reduce its transmission losses to the level of 4.20 % during 2010-11.
- The four distribution utilities, namely, UGVCL, PGVCL, DGVCL and MGVCL have been directed:
 - To improve consumer services in respect of providing good quality meters, timely meter reading and proper billing.
 - To submit to the Commission a detailed plan with time limits for replacing all faulty meters and metering of distribution transformers.
 - To draw a plan for reducing distribution losses in respect of several feeders including those in case of Jyotigram Yojana, which are showing very high percentages of distribution losses.
- During the public hearing, several consumer organizations and other stakeholders brought to the notice of the Commission the high rates of electricity duty in Gujarat. The Commission considered the issue and observed that there is a need to rationalize electricity duty, because it increases the burden on the consumers, impacts on the finances of the utilities and distorts the tariff structure, particularly because it is ad-valorem. The Commission has suggested that Government should consider rationalizing electricity duty, keeping in view the above aspects and the practices in other States, so that it becomes reasonable, stable and predictable.

3.5 Open Access – Transmission Charges, Wheeling Charges and Cross-Subsidy Surcharges for the year 2010-11

3.5.1 State Utilities

The Gujarat Energy Transmission Corporation (GETCO) and the four Distribution Companies – DGVCL, MGVCL, UGVCL and PGVCL, the successor entities of Gujarat Electricity Board (GEB), filed petitions for determination of Annual Revenue Requirement (ARR), transmission charges and retail supply tariff for FY 2010-11.

The Commission approved the ARR of the above utilities, transmission charges and retail supply tariffs in the respective orders. Based on the approved charges, the Commission revised the open access charges as below. These charges are applicable for FY 2010-11.

3.5.1.1 Transmission Charges

The transmission charges as given below are applicable for the use of transmission lines (system) of GETCO, the transmission licensee by Generating Companies, Distribution Licensees, other licensees and also consumers who are permitted to avail open access facility under section 42 (2) of the Electricity Act 2003.

Rates:

Transmission charges for FY 2010-11	Rs. 2720/MW/Day Rs. 81600/MW/Month
Plus	
Energy loss in kind at	4.20%

It is mentioned in the orders that the Current transmission loss shall be effective until Intra State ABT is operational, after which it shall be as specified under Intra State ABT.

The transmission charges payable in cash by long-term and short-term open access users are –

Long-term open access users =	Rs. 2720/MW/Day
Short-term open access users =	Rs. 680/MW/Day
(1/4 X long term rate= 1/4X2720 = Rs. 680)	

The transmission charges for short-term open access users are as per the following

(a)	Upto 6 hours in a day in one block – (1/4 X Short-term rate (1/4 X 680))	=	Rs.170/ MW
(b)	More than 6 hours and upto 12 hours in one block (1/2 Short-term – 1/2 X 680)	=	Rs. 340/ MW
(c)	More than 12 hours upto 24 hours in one block is the short-term rate	=	Rs. 680/ MW

In addition the applicable system losses and other charges as in Commission's open access Regulations will also be charged. The long and short term open access is as defined in the Regulations of the Commission.

3.5.1.2 Wheeling Charges

The wheeling charges for the four Distribution companies – DGVCL, MGVCL, PGVCL and UGVCL for FY 2010-11 are as given below. The charges are applicable for use of the distribution system of a licensee by other licensees or generating companies or captive power plants or users who are permitted open access under section 42 (2) of the Electricity Act 2003.

1	Wheeling charges at 11 KV	Ps / kWh	12
2	Wheeling charges at 400 V (LT)	Ps / kWh	40

In addition to the above, the energy loss is required to be compensated in kind, by the open access users as detailed below.

Point of injection	Point of energy delivered	
	11 KV	400 Volts
11 KV, 22 KV and 33 KV	10.01%	18.57%
400 volts	-	9.51%

The above wheeling charges payable are uniform in all the four distribution companies – DGVCL, MGVCL, PGVCL and UGVCL.

3.5.2 Torrent Power Limited

The wheeling charges worked out for 11 kV voltage level for the FY 2010-11 are given in the table below:

Table-A
Wheeling charges at 11 KV and LT Voltage level (Torrent Power Ltd)
Ps/kWh

Part P	Ahmedabad-Gandhinagar License area of TPL	Surat License area of TPL
Wheeling charges at 11 kV Voltage level	17	18
Wheeling charges at LT Voltage level	58	47

In addition, 4% of energy in kind will be deducted from the energy input towards loss in EHT/HT network and 4.75% of energy will be deducted towards loss in LT network of Distribution Licensees.

3.5.3 Cross-Subsidy Surcharge

The Commission did not change the cross-subsidy surcharge for the Year 2010-11.

3.6 Status in the Context of The National Electricity Policy

3.6.1 Metering Plans

The Electricity Act 2003 stipulates that all consumers should be metered. As per the National Electricity Policy, the SERCs have to obtain from the Distribution Licensees their metering plans, approve these and monitor the same. The Commission has directed all the Distribution Licensees to submit their metering plans.

Distribution licensees have submitted that all the connections are metered except Agriculture connections.

Metering status of Agriculture consumers for FY 2009-10 is as under.

Sr. No.	Distribution Licensee	Metered Connections
1	UGVCL	28.87 %
2	DGVCL	45.74 %
3	MGVCL	40.64 %
4	PGVCL	36.00 %
5	TPL (Ahmedabad)	100 %
6	TPL (Surat)	100 %

The Commission has directed to improve the status of metering of agricultural consumers.

3.6.2 Implementation of HVDS, SCADA & Data Base Management

SCADA and data management systems are useful for efficient working of Distribution Systems. As per the NEP, a time bound programme for implementation of SCADA and data management is to be obtained from Distribution Licensees and approved by the SERCs keeping in view the techno economic considerations.

HVDS implementation is carried out at MGVCL, UGVCL, DGVCL and PGVCL for effective reduction in losses.

3.6.3 Norms for Standard of Performance

As per the provisions of the National Electricity Policy the Commission has to specify the expected Standards of Performance. The Appropriate Commission has to regulate utilities based on pre-determined indices on quality of power supply.

The Commission, vide notification No. 10 of 2005 dated 31/03/2005, specified the performance standards for distribution licensees in the state. The Distribution licensees are submitting quarterly reports with details required under provisions of the SoP regulations before the Commission.

3.6.4 Setting up of CGR Forum and Ombudsman

National Electricity Policy emphasizes to formulate guidelines regarding setting up of grievance Redressal forum by the licensees and in appointing the Ombudsman.

There are eight Consumer Grievance Redressal Forums (CGRFs) operating in Gujarat. For every CGR Forum, one independent member has been selected by the Commission.

The Commission has appointed an independent Electricity Ombudsman in Gujarat and he operates from an independent office.

3.6.5 Capacity Building for Consumer Groups

To enhance the efficacy of the regulatory process, the National Electricity Policy envisages Regulatory Commissions to facilitate capacity building of the consumer groups.

The Commission had invited consumer groups to participate in multiyear tariff process and to give their valuable suggestions for improving services for the consumer. The Commission has encouraged consumer groups to be members of the tariff study committee for rationalizing the tariff structure.

3.7 Status in the Context of Tariff Policy

3.7.1 Return on Equity

The Tariff Policy provides for SERCs to allow rate of return on equity keeping in view the assessment of overall risk and the prevalent cost of capital.

The calculation of RoE is considered on expenditure capitalised by the Commission.

Licensee	Return on Equity for FY 2009-10
GSECL	14%
GETCO	14 %
UGVCL	14 %
DGVCL	14 %
MGVCL	14 %
PGVCL	14 %
TPL (Generation)	14 %
TPL (Ahmedabad)	14 %
TPL (Surat)	14 %

3.7.2 Depreciation Rates:

As per the Tariff Policy, the Central Commission notified the rate of depreciation which is also applicable for distribution with appropriate modifications. The Commission has considered the following depreciation rates.

Sr. No.	Licensee	Depreciation rates for FY 2009-10
1	GSECL	As per clause 17 of CERC (Terms and Conditions of Tariff) Regulations, 2009
2	GETCO	As per clause 17 of CERC (Terms and Conditions of Tariff) Regulations, 2009
3	UGVCL	5.29 %
4	DGVCL	5.27 %
5	MGVCL	5.26 %
6	PGVCL	5.28 %
7	TPL(Generation)	CERC depreciation rates on different categories as permitted by GERC Terms & Conditions of Tariff Regulations, 2005.
8	TPL(Ahmedabad)	
9	TPL(Surat)	

3.7.3 ToD Tariff:

Tariff Policy provides for facilitating implementation of Time of Day (ToD) tariffs.

Time of Use Tariff is already in practice in Gujarat. There is separate tariff applicable for LT consumers whose motive power contract demand is between 20 kW and 100 kW and for HT consumers contracted for regular power supply of 100 kVA & above, using **electricity exclusively during night hours** from 10.00 PM to 06.00 AM next day.

Moreover, time of use tariff is applicable to Water Works category of LT tariff. In HT category, barring HT-Agriculture and Railway Traction tariff category all other HT category gets the benefit of time of use tariff.

ToD (FY 2009-10)	Consumer Category	Peak Tariff	Off-Peak Tariff
The Tariff rates as applicable to UGVCL, DGVCL, MGVCL & PGVCL with respect to Tariff Orders dated 14/12/2009	Rate LTP – IV: Motive power load not exceeding 125 BHP - consumer opts to be charged in place of LTP-I tariff by using electricity exclusively during night hours	385 Paise / kWh	200 Paise / kWh
	Rate LTP – IV(A) : Minimum CD of 20 kW and up to 100 kW at low voltage - consumer opts to be charged in place of LTP-III tariff by using electricity exclusively during night hours using electricity exclusively during night hours from 10.00 PM to 06.00 AM next day.	405 Paise / kWh	200 Paise / kWh
	Rate WW (Water Works): connected load of 50 HP and for Energy consumption during the off-peak period, viz., 1100 hrs to 1800 hrs Energy consumption during night hours viz, 2200 hrs to 0600 hrs, next day	350 Paise / kWh 350 Paise / kWh	30 Paise / kWh 75 Paise / kWh
	Rate HTP – I : regular supply for larger power service purposes with CD of 500 KVA & above for energy consumption during the peak periods viz., 0700 hrs to 1100 hrs and 1800 hrs to 2200 hrs (Time of Use Tariff added to the energy charges during peak hours)	490 Paise / kWh	415 Paise / kWh
	501 to 1000 KVA	455 Paise / kWh	385 Paise / kWh
	1001 to 2500 KVA	480 Paise / kWh	405 Paise / kWh
	Above 2500 KVA	490 Paise / kWh	415 Paise / kWh

Rate HTP-II(A): contracting for 100 KVA and above for amusement park, hotels etc . for energy consumption during the peak periods viz., 0700 hrs to 1100 hrs and 1800 hrs to 2200 hrs (Time of Use Tariff added to the energy charges during peak hours)	495 Paise / kWh	420 Paise / kWh
Rate HTP-II(B): contracting for 100 KVA and above for residential colonies, townships etc. for energy consumption during the peak periods viz., 0700 hrs to 1100 hrs and 1800 hrs to 2200 hrs (Time of Use Tariff added to the energy charges during peak hours)	445 Paise / kWh	370 Paise / kWh
Rate HTP-III: supply for temporary period for not less than 100 KVA for energy consumption during the peak periods viz., 0700 hrs to 1100 hrs and 1800 hrs to 2200 hrs (Time of Use Tariff added to the energy charges during peak hours)	705 Paise / kWh	630 Paise / kWh
Rate HTP-IV: using electricity exclusively during night hours from 10.00 PM to 06.00 AM next day. – consumer opts to be charged in place of HTP-I tariff by using electricity exclusively during night hours	--	200 Paise / kWh

3.8 Renewable Sources of Energy

The Commission has notified the regulations on Procurement of Energy from Renewable sources vide notification no.3 of 2010. According to the regulations the Renewable Power Purchase Obligation applicable to Distribution licensees for purchase of power from the renewable energy sources has been revised from 2% in FY 2008-09 to 5%, 6% and 7% for the years 2010-11, 2011-12 and 2012-13 respectively. The Commission has provided separate Renewable Purchase Obligation (RPO) provisions for wind, solar and other renewable energy sources keeping in view the availability of such sources, nascent stage of Solar Power generation technology and expected energy available from them. The RPO is also made applicable to the Captive and Open Access consumers/users. However, the same will be applicable to these entities from a date to be separately notified by the Commission. The Commission has also made necessary provisions in the Regulations for Renewable Energy Certificate (REC).

Tariff rates were also determined for purchase of power by distribution licensees from different renewable energy sources. While deciding the tariff, encouragement to project developers and protection of consumer interest, both have been taken into account. Highlights of the Commission's orders on Wind Energy Tariff and Solar Energy Tariff are as under:

(i) Wind Energy Tariff Order NO. 1 / 2010 dated 30/01/2010

The Commission determined Wind Energy Generation Tariff and passed order on 30/01/2010 after considering the views expressed by stakeholders, Government policy, orders of various SERCs/CERC. This is the second order for Wind Tariff. The Commission has revised the tariff from Rs. 3.37 per unit to Rs. 3.56 per unit. The Commission has also allowed third-party sale without cross subsidy. The project developers are also allowed to wheel power at commercial transmission and wheeling charges as a promotional measure. However, utilities have been allowed higher transmission and wheeling charges in comparison to earlier order.

(ii) Solar Energy Tariff Order No. 2 / 2010 dated 29/01/2010

The Commission has determined tariff for Solar PV and Solar thermal power projects established in the State for sale to the distribution licensee of the State. The Commission has passed its order for Solar PV and Solar Thermal power projects on 29/01/2010 based on the submissions made by stakeholders, Government Policy and CERC regulations. The Commission has also decided that Roof-top Solar PV projects and other small solar projects connected to LT/11 KV systems are entitled to get the same tariff. The Commission is, in consultation with utilities, GEDA, Chief Electrical Inspector, framing guidelines for measuring energy generation and for installation of meters and safety aspects as and when roof-top projects would be connected with grid.

The Government of India has in the National Action Plan on Climate Change emphasized promotion of Solar Energy. Government of India has under Jawaharlal Nehru National Solar Mission declared various schemes for promotion of Solar Energy Generation. The Commission is the first SERC in the country to bring out a comprehensive tariff order for Solar Energy in the State. It will be helpful to the project developers to establish projects in the state and sell the energy generated from it to distribution licensees. Distribution Licensees are under obligation to purchase energy generated from solar projects towards fulfilment of RPO.

(iii) Other renewable sources of electricity

During the year 2009-10, the Commission initiated the process of determination of revised tariffs in respect of Bio-mass based generation as well as Bagasse based co-generation projects. The Commission published the discussion papers on these and invited comments from the stakeholders.

3.8.1 Status of Determination of Open Access Surcharge

The Commission has examined the provisions of the National Electricity Policy and Tariff Policy which are notified by the Govt. of India under the provisions of the Electricity Act, 2003. The Commission has also considered various provisions of the Electricity Act, 2003 relating to open access in distribution and transmission and has come to the conclusion that if open access is to be encouraged, such cross-subsidy surcharge has to be reduced so that the cost of power to the consumer is affordable. The Commission had adopted the formula as prescribed in the Tariff Policy.

The Cross-subsidy surcharge for HT-EHT Category works out to Rs. 0.51 per Kwh, (which is 28% of the opening level of Cross-Subsidy surcharge) and Rs.0.96 per Kwh for Railway traction based on the methodology provided in the Tariff Policy. As per the provisions made in the Electricity Act, 2003 and the National Electricity Policy, it is essential to encourage open access and reduce the cross-subsidy surcharge in a gradual manner to facilitate consumers to adopt open access. Therefore, the Commission has decided that cross-subsidy surcharge for both the HT/EHT industrial category as well as for the Railway Traction be the same **rate of Rs. 0.51 per Kwh.**

3.8.2 Harnessing of Surplus Captive Generation

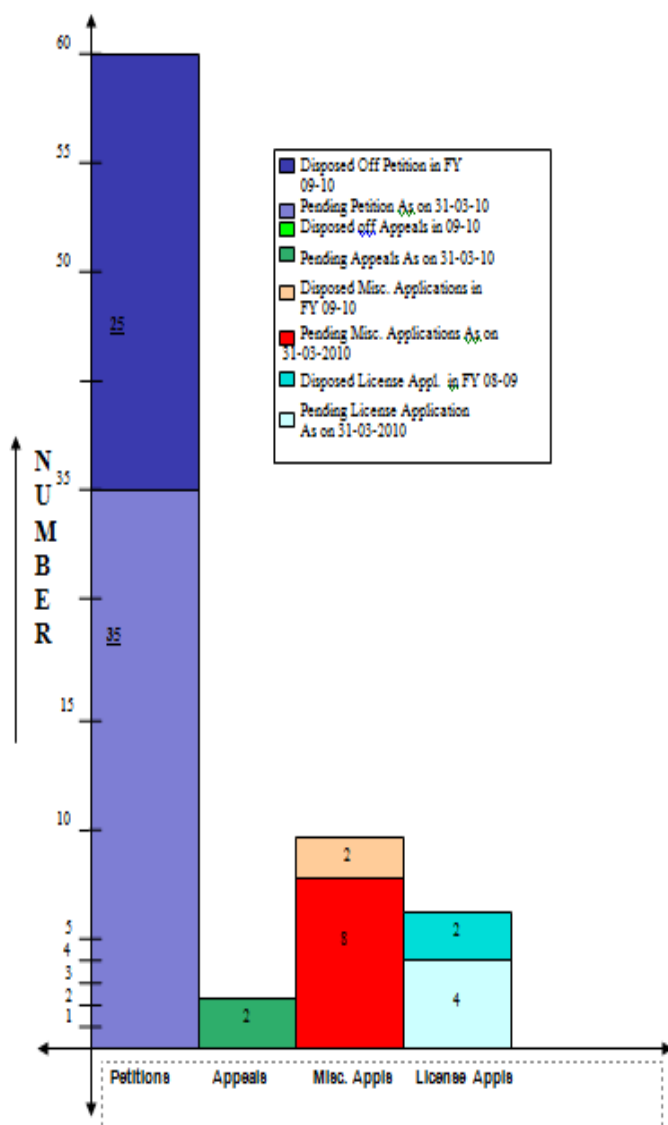
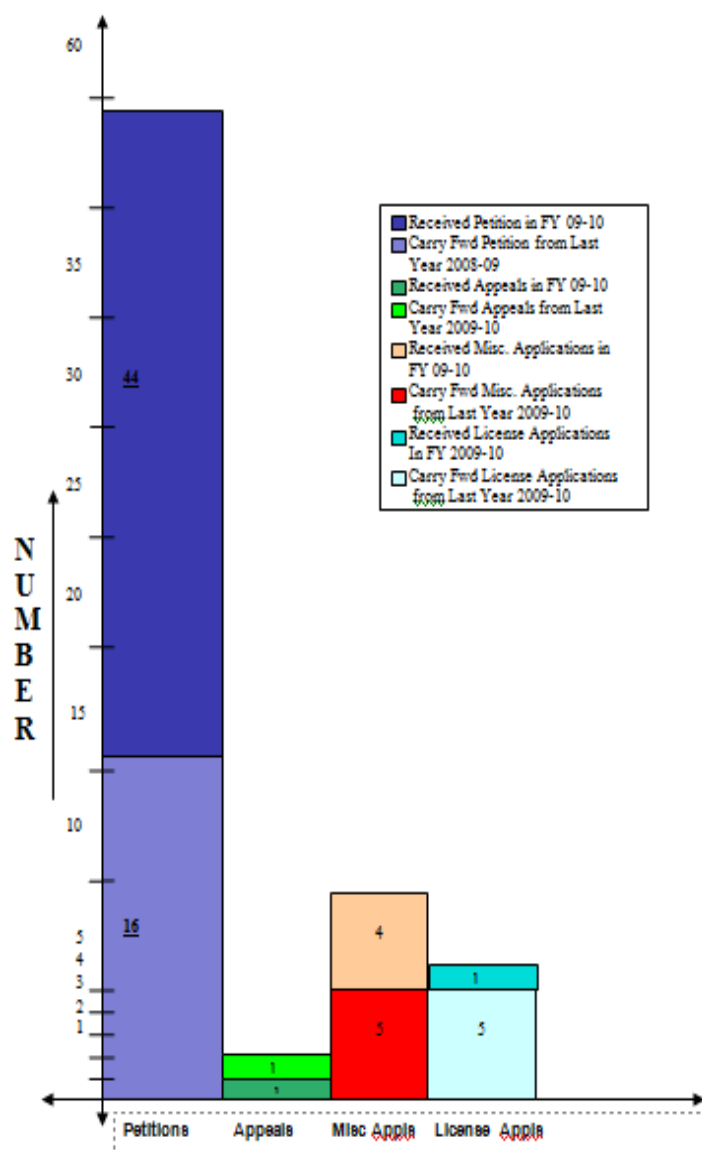
Harnessing of captive generation is also very important to reduce the gap between demand and supply (by using the sunk investment). The State Government earlier followed a forward looking policy for promotion of captive generation and as a result, Gujarat State is one of the front-runner States to have a large capacity of captive power plants. As on 31st March, 2010, 60 captive power plants, having an aggregate capacity of 3337 MW, were operating in parallel to the state network. Most of these plants have entered into agreements with the state utilities to inject their surplus power into the grid, whenever there is system demand. The cross-subsidy surcharge is also reduced to encourage Open Access and ultimately to make available affordable power to the consumers. There is no penalty for reduction of contract demand by consumer having CPP. The parallel operation charges are at presently applied as per the

judgment/order of the Hon'ble High Court in Special Civil Application (SCA) no. 26376 of 2006 and Misc. Civil Application no. 2844 of 2008. Wheeling charges are applicable as determined by the Commission.

3.9 Disposal of Petition and Appeals

The commission has disposed of 35 petitions, 08 Misc.Applications and 04 License Applications during 2009-10 and 25 petitions, 02 Appeals, 01 Misc.Applications and 02 License Applications are pending as on 31-03-2010. The Details are given in the table below:

Particulars	Pending as on 31-03-2009	Received during the year	Total	Disposed Of during the year	Pending as on 31-03-2010
Petitions	16	44	60	35	25
Appeals	1	1	2	-	2
Misc. Applications	5	4	9	8	1
License Applications.	5	1	6	4	2
Total	27	50	77	47	30



Status of the Petitions, Appeals, Miscellaneous Applications and License Applications during 2009-10

3.10 License Applications

The Commission has decided the following license applications filed by developers/co-developers of SEZ areas.

3.10.1 Torrent Energy Ltd. which is the co-developer for Dahej SEZ area approached the Commission for grant of distribution license in the SEZ area. The commission granted a second license to the applicant under Section 14 of the Electricity Act, 2003. The above area falls within the existing license area of Dakshin Gujarat Vij Company Ltd.

3.10.2 Synefra Engineering & Construction Ltd. (previously Suzlon Infrastructure Ltd.) which is a developer of SEZ area in the Waghodia and Piplaj villages of Vadodara District approached the Commission for getting distribution license in the SEZ area. The Commission, after following the due process, agreed to issue distribution license to the applicant for the above SEZ area notified by the Government of India. The Commission has granted second license for distribution of electricity to the applicant u/s. 14 of the E.A. 2003. The above area falls within the existing license area of the Madhya Gujarat Vij Company Ltd.

3.10.3 Global Energy Ltd. filed an application for grant of intra-state trading license. The Commission heard the matter and proposed to issue a license to the applicant. A Public Notice was also issued inviting comments / suggestions from the stakeholders u/s. 15(5) of the E.A. 2003. The Commission did not receive any objection in response to the said Public Notice from any of the stakeholders. The matter was finally heard by the Commission. During the hearing it was found that the applicant had submitted some of the lease documents, the correctness of which was required to be verified. Hence, the applicant was directed to comply with the same and till that time final order for grant of license was kept pending.

3.11 Implementation of the order on Earth Terminal.

The Commission has issued an order for providing Earthed Terminal at consumer premises in compliance with Rule 33 of Indian Electricity Rules, 1956. The Commission has directed the unbundled distribution licensees of the erstwhile GEB to provide Earthed Terminal at the consumer premises as per the recommendation of the CEA/CEI of Gujarat. The Commission has also directed the licensees to carry out the study as suggested by them through ERDA to identify which methodology is to be

adopted out of various options given by the CEA and what is the time frame and cost implications for providing earthed terminal at consumer premises.

As per the directives of the Commission in the aforesaid order, the distribution licensee unbundled from the erstwhile GEB assigned work for technical study and to evaluate financial implication to ERDA. ERDA has prepared a report on the above subject and submitted the report along with financial implication to the distribution licensee.

The Commission analysed the report and directed the distribution licensee to prepare an implementation plan and submit the same to the Commission for approval. The distribution licensees have initiated measures to provide Earthed Terminal to new connections which are given in their licensed area.

3.12 Status of Intra-State ABT

- The Commission had issued the Intra-State ABT order on 11th August, 2006 which provides for carrying out mock exercise by the SLDC prior to implementation. The SLDC carried out mock exercise with all participants, who installed ABT compatible meters at 643 locations. Those are synchronized on real time basis and a system has been established for data pooling by SLDC.
- The distribution licensees have established Area Load Dispatch Centres which have started functioning independently.
- The State Energy Account (SEA) consists of (i) Summary of Availability/Entitlement (ii) Summary of Inter-State Bilateral Exchanges, (iii) Summary of Scheduled Energy of State Generating Stations (SGS) (iv) Inter-State Power Exchanges from WR-NTPC Generating Station/Entitlement, (v) Details of incentive calculation for SGS stations, (vi) Details of transmission/wheeling charges (vii) Details of CGP accounts and (viii) Allocation of power in the State carried out by the SLDC. SEA has been started for settlement of various charges and issued through interactive website.
- The Commission initiated action for evaluation of the mock exercises carried out by the SLDC and was in the process of implementation of Intra-State ABT with its full commercial implication.

3.13 Adjudication of Disputes and Differences

▪ **Consumer Grievance Redressal Forum**

Recognizing the need for proper redressal of consumers' grievances, the Electricity Act, 2003 under section 42(5) requires Distribution Licensees to establish a Forum for Redressal of the Consumer Grievances. In addition, it also provides for establishment of the office of the Ombudsman for representation, if any, against the decisions of the Forum. These are additional avenues, besides any other, which the Distribution licensees may create, for redressal of consumer grievances.

All the six distribution licensees operating in the state have established forums for redressal of consumer grievances. The Commission has appointed independent members for all the Consumer Grievances Redressal Forums established by various distribution licensees. The Commission is monitoring the working of such forums through quarterly reports submitted to it, and also review meetings.

▪ **Electricity Ombudsman**

The Commission has established the office of the Ombudsman. The Commission had designated Secretary, GERC as the Electricity Ombudsman, since 5th August 2005 vide Notification no. GERC/OMBD/T-II/1268/2005.

The Commission has appointed Shri V.T.Rajpara as Electricity Ombudsman with a well equipped independent office and supporting staff on 31st December, 2009.

Representations against the order of the Forums are being filed before the Ombudsman. The Ombudsman functions in accordance with the Establishment of Ombudsman Regulations, 2005. The details of the representations to the Ombudsman's office are as follows:

No of cases pending at the beginning of the year	No. of cases received during the year	No. of cases disposed during the year
0	56	33

The nature of the representations received and their forum-wise break-up are given respectively in Annexure 7 and Annexure 8 respectively.

3.14 State Advisory Committee

The GERC, in terms of the Electricity Act 2003, has constituted a State Advisory Committee to represent the interests of commerce, industry, transport, agriculture, consumers, non Govt. organisations, education and research.

The Committee meets regularly to deliberate the issues regarding:

- 1) Problems related to policy.
- 2) Quality, continuity and regulations of the services provided by the Licensees.
- 3) Implementation of terms and conditions and requirements of the license of Licensees.
- 4) Protection of consumers interest, and
- 5) Electricity Supply and overall Standards of Performance by utilities.

3.15 Training Programmes

The Staff of the commission attended different training Programmes as under:

Programme/ Training details	Date	Attended by
Renewable Energy Certificate Framework & its Regulatory Clarity Organized by CERC, New Delhi	19-04-2009	Shri S.R.Pandey LegalAdviser
Demand Side Management & Energy Efficiency, NPTI, Faridabad	15-06-2009 to 18-06-2009	Shri D.R.Parmar, Executive
Capacity Building Programme on Regulatory aspects for staff of ERcs Organized by IIT,Kanpurwith FOR, New Delhi	03-08-2009 to 08-08-2009	Shri S.R.Pandey LegalAdviser
Demand Side Management & Energy Efficiency, NPTI, Faridabad	07-09-2009 to 08-09-2009	Shri D.R.Parmar, Executive
Regulatory & Policy Framework for Market Development for Renewable Energy, WISE, Ahmedabad	17-12-2009 to 18-12-2009	Shri D.R.Parmar Executive

3.16 FOR Meetings

In order to co-ordinate the activities of central and state Electricity Regulation, a forum of Regulators has been constituted by the Government of India under section 166 (ii) of the Electricity Act 2003. Chairman, GERC is a member of the forum. He actively participated in various meetings of the Forum and working groups constituted by FOR, as detailed below.

FOR Meeting	Date	Attended by
FOR Meeting at: New Delhi	11 th & 12 th June, 2009	Dr. P.K.Mishra, Chairman
FOR working group on metering and FOR Meeting at New Delhi	16 th & 17 th July,2009	Dr. P.K.Mishra, Chairman
FOR working group Meeting at: New Delhi	3 rd September,2009	Dr. P.K.Mishra, Chairman
FOR Meeting at: New Delhi	4 th September,2009	Dr. P.K.Mishra, Chairman
FOR working group Meeting at: New Delhi	27 th October,2009	Dr. P.K.Mishra, Chairman
FOR Meeting at: Amritsar,Punjab	19 th & 20 th November,2009	Dr. P.K.Mishra, Chairman
FOR-Standing Committee Meeting-special invitee , at: New Delhi	1 st December,2009	Dr. P.K.Mishra, Chairman
FOR working group on DSM, at: New Delhi	15 th January,2010	Dr. P.K.Mishra, Chairman
FOR Meeting At Lucknow	1 st February,2010	Dr. P.K.Mishra, Chairman
FOR working group Meeting at: New Delhi	11 th February,2010	Dr. P.K.Mishra, Chairman

3.17 FOIR Meetings

The Forum of Indian Regulators is a Society registered under the Societies Registration Act, to promote transparency in the working of the regulatory bodies, protect consumer interest and develop consumer advocacy organisations, develop human and institutional capacities in regulatory bodies, utilities and other stake holders, research the efficiency and effectiveness of independent regulation, provide an information base on regulatory law and practice and regulatory economics, collaborate with academic and research institutions, professional bodies and NGO's in India and internationally in areas of Interest to the Society. During the year 2008-09 three meetings of FOIR were held as mentioned below;

FOIR Meeting	Date	Attended by
Meeting at New Delhi	11 th & 12 th June, 2009	Dr. P.K.Mishra, Chairman
FOIR working group on Restructuring : Meeting at New Delhi	30 th July,2009	Dr. P.K.Mishra, Chairman
FOIR working group on Restructuring : Meeting at New Delhi	15 th October,2009	Dr. P.K.Mishra, Chairman
FOIR Meeting at Amritsar, Punjab	19 th & 20 th November,2009	Dr. P.K.Mishra, Chairman Shri Pravinbhai Patel, Member(Technical)
FOIR, group meeting on policy, at New Delhi	11 th December,2009	Dr. P.K.Mishra, Chairman

4. Annual Accounts

Gujarat Electricity Regulatory Commission fund is operated by 'GERC Fund Rules 2005'. The income of the GERC mainly consists of License and Petition fees. The GERC fund is audited every year by the Comptroller and Auditor General of India, who certifies the Annual Accounts. The Annual Accounts are laid before the State Legislative Assembly.

The fund is operated through nationalized banks and State sponsored financial Institutions only. The utilisation of fund is governed by Gujarat Financial Rules 1971 amended from time to time. Surplus fund is invested in the form of Fixed Deposits in the nationalised banks and State Government financial Institutions. GERC is not getting any grant/financial support from Government of Gujarat and is financially self reliant since 2005.

GUJARAT ELECTRICITY REGULATORY COMMISSION		
FINANCIAL STATEMENT		
BALANCE SHEET AS ON 31ST MARCH, 2010		
	Amount - Rs	
<u>CORPUS / CAPITAL FUND AND LIABILITIES</u>	2009-2010	2008-2009
CORPUS /GERC CAPITAL FUND	390000000.00	265000000.00
RESERVES AND SURPLUS	29491439.79	17176241.38
EARMARKED ENDOWMENT FUNDS	0.00	0.00
SECURED LOANS AND BORROWINGS	0.00	0.00
UNSECURED LOANS AND BORROWINGS	0.00	0.00
DEFFERED CREDIT LIABILITIES	0.00	0.00
CURRENT LIABILITIES AND PROVISIONS	9577197.10	7769855.65
<i>TOTAL</i>	429068636.89	289946097.03
<u>ASSETS</u>		
FIXED ASSETS	19512969.58	4103391.21
INVESTMENTS -FROM EARMARKED / ENDOWMENT FUNDS	0.00	0.00
INVESTMENTS - OTHERS	0.00	0.00
CURRENT ASSETS , LOANS , ADVANCES	409555667.31	285842705.82
MISCELLANEOUS EXPENDITURE		
<i>TOTAL</i>	429068636.89	289946097.03

GUJARAT ELECTRICITY REGULATORY COMMISSION		
INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED		
31ST MARCH,2010		
	Amount – Rs	
<i>INCOME</i>	2009-2010	2008-2009
Income from sales / service	0.00	0.00
Grants /Subsidies	0.00	0.00
Fees and charges	142845062.00	93412337.00
Income from Investments (Income on Investment , from earmarked/ endowment Funds transferred to Funds)	0.00	0.00
Income from Royalty , Publications etc.	0.00	0.00
Interest Earned	28030189.84	23844109.05
Other Income	19709.00	26055.00
Increase/Decrease in stock of finished goods & work in progress	0.00	0.00
TOTAL (A)	170894960.84	117282501.05
<i>EXPENDITURE</i>		
Establishment Expenditure	18441527.96	13172383.00
Other Administrative Expenses etc.	14113967.47	9821571.00
Expenditure from Grants, subsidies etc	0.00	0.00
Interest paid	0.00	0.00
Depreciation (Net Total at the year end - corresponding to schedule -8)	0.00	626982.00
TOTAL (B)	32555495.43	23620936.00
Balance being excess of Income over Expenditure (A-B)	138339465.41	93661565.05
Transfer to Corpus Fund	125000000.00	90000000.00
Transfer to Gengeral Reserve	12315198.41	3661565.05
Balance being surplus transferred to Balance Sheet	1024267.00	0.00
SIGNIFICANT ACCOUNTING POLICIES, CONTIGENT LIABILITIES AND NOTES ON ACCOUNTS		-

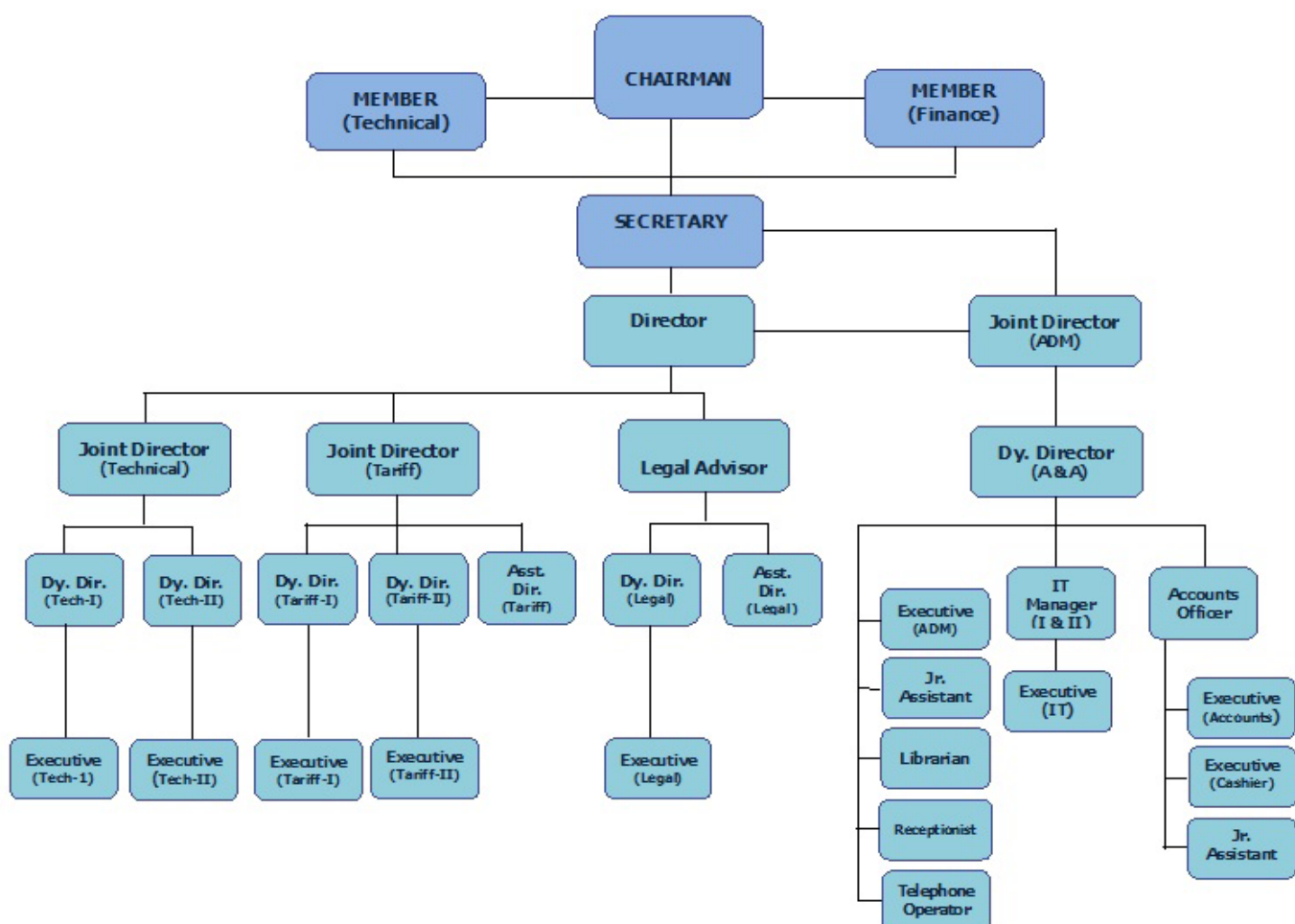
ANNEXURE 1

Positions within the commission

Sr. No.	Name of the Post	No. of posts sanctioned	No. of Posts Filled			Vacant Post
			On Deputation	On contract	Permanent Basis	
1	Secretary	01	01	0	0	0
2	Joint Director	03	0	0	01	02
3	Legal Advisor	01	01	0	0	0
4	Deputy Director	06	04	0	0	02
5	Accounts Officer	01	01	0	0	0
6	Information Technology Manager	02	0	0	0	02
7	PA – English steno	04	01	0	03	0
8	PA- Gujarati Steno	01	-	-	01	0
9	Executive	09	01	0	04	04
10	Driver- cum- Attendant	08	0	0	5	03
11	Peon	06	0	0	4	02
12	Director	01	0	0	0	01
13	Assistant Director	02	0	0	0	02
14	Junior Assistant	02	0	0	0	02
15	Librarian	01	0	0	0	01
16	Receptionist	01	0	0	0	01
17	Telephone operator	01	0	0	0	01
Total		50	09	0	18	23

ANNEXURE 2

ORGANISATION STRUCTURE OF GERC



ANNEXURE 3

Details of the Petitions disposed off during the year 2009-2010.

Sr. No.	Petition No.	Filed by	Subject
1	909/2007	CERS v/s.CEI,GUVNL &Discoms	Provision of earth terminals at the premises of consumers as per Rule 33 of IERules, 1956.
2	931/2008	GETCO v/s.GUVNL & Others	Submission of report on mock exercise carried out by GETCO regarding implementation of Intra State Availability Based Tariff & review of order No.3 of 2006 of GERC.
3	933/2008	Indian Wind Energy Association v/s.GUVNL & Others.	For review of Renewable Purchase Specification & Applicable Tariff for Wind Energy In Gujarat in r/o Review of Regulation No.15/05 & Wind Tariff Order No.2 dtd.11-08-2006.
4	949/2008	V.K.Thakkar v/s.MGVCL	To cancel the Distribution License of MGVCCL.
5	952/2008	ONGC v/s.GETCO, DGVCL & UGVCL ,	Rationalization of wheeling Capacity of 15900KVA from existing 6 installation to 11 installations with a reduction of capacity in 3 installations.
6	954/2008	ONGC v/s.GEDA,GETCO & Suzlon Energy Ltd.	For Wheeling energy provided by WEGs to places of consumption in Gujarat for Self Use (captive use).
7	956/2008	V.K.Thakkar v/s.MGVCL	For disqualifying the Members &Chairman of MGVCCL.
8	959/2008	Torrent Power Ltd. v/s.GPECL	Approval of PPA for procurement of Power from Renewable sources in compliance to Notification No. 15 of 2005.
9	961/2009	GETCO, Vadodara.	Review Petition of Order in Petition No.936/08.

Sr. No.	Petition No.	Filed by	Subject
10	962/2009	GUVNL, Vadodara.	Approval of change in Delivery Point in PPA with Successful bidders in Competitive Bid.
11	963/2009	Suo Motu v/s Gen.Manager(COM),GUVNL	Suo Motu petition U/S.142 of the Electricity Act, 2003.
12	964/2009	Indian wind Power Association v/s.GUVNL & Others	Waiver of Three Years Control period stipulated in Order No.2/2006 of the Commission.
13	965/2009	Chirag Fuels Pvt.ltd.v/s.PGVCL Porbandar(city)	Non-implementation of Ombudsman Order in Case no.1/2009 by PGVCL.
14	966/2009	Torrent Power Limited	Determination of Tariff for 2009-10.
15	969/2009	Astofield Solar (Guj.)Pvt.Ltd. v/s. Discom & GUVNL	Fixation of tariff in r/o 25 MW grid Connected PV solar power plant to be established in Gujarat.
16	971/2009	ONGC v/s.GETCO, UGVCL, DGVCL & MGVCL	Compliance of the Order Dtd.6-5-09 in Petition No.954/2008.
17	973/2009	Adani Power Ltd. v/s.P.L.Patel , L.H.Patel & collector, Mehsana.	In the matter of:-Order dtd.8-7-09passed by the Dist.Magistrate, Mehsana.
18	974/2009	Gujarat State Elect. Corp.Ltd.	APR for FY.2008-09 &Tariff Proposal for FY.2009-10
19	975/2009	Gujarat Energy Trans. Corp. Ltd.	-do-
20	976/2009	GETCO(SLDC)	ARR & Tariff Proposal of SLDC for FY2009-10.
21	977/2009	Uttar Guj.Vij Comp.Ltd.	APR for FY2008-09 & tariff proposal for FY.2009-10.

Sr. No.	Petition No.	Filed by	Subject
22	978/2009	Dakshin Guj.Vij Comp.Ltd.	-do-
23	979/2009	Madhya Guj.Vij Comp.Ltd.	-do-
24	980/2009	Paschim Guj.vij Comp. Ltd.	-do-
25	981/2009	Guj.Urja Vikas Nigam Ltd.	Procurement of 3000 MW+20% power on Long Term Basis through Competitive bidding Process Under Case-1 &Approval of deviations from the Standard Bidding Documents issued by MOP-GOI.
26	988/2010	Torrent Power Limited	APR for FY.2009-10 & ARR Proposal for FY.2010-11
27	989/2010	Gujarat State Elect. Corp.Ltd.	APR for FY.2009-10 &Tariff Proposal for FY.2010-11
28	990/2010	Gujarat Energy Trans. Corp. Ltd.	APR for FY.2009-10&Tariff Proposal for FY.2010-11
29	991/2010	GETCO(SLDC)	ARR & Tariff Proposal of SLDC for FY 2010-11.
30	992/2010	Uttar Guj.Vij Comp.Ltd.	APR for FY.2009-10&Tariff Proposal for FY.2010-11
31	993/2010	Dakshin Guj.Vij Comp.Ltd.	APR for FY.2009-10 &Tariff Proposal for FY.2010-11
32	994/2010	Madhya Guj.Vij Comp.Ltd.	APR for FY.2009-10&Tariff Proposal for FY.2010-11
33	995/2010	Paschim Guj.vij Comp. Ltd.	APR for FY.2009-10 &Tariff Proposal for FY.2010-11
34	999/2010	Shah Alloys Ltd. v/s.SLDC	Application seeking direction against the SLDC.
35	1003/2010	Torrent Energy Ltd.,	ARR of Distribution business of the Company for the control period 26-01-10 to 31-03-2010.

ANNEXURE 4

Details of the Misc.Applications disposed off during the year 2009-10.

Sr. No.	Misc Appl. No.	Filed by	Subject
1	01/2009	Shahlon Ind. Infra. (P) Ltd. v/s. DGVCL & Chief Electrical Insp.	Seeking appropriate directions for contravening Provisions contained in Sec.2 (8), 9 &42 of the Electricity Act, 2003 &for Interim Stay.
2	02/2009	Surabhi Infra.Services Ltd.v/s. DGVCL & C.E.I., Gandhinagar.	-do-
3	03/2009	Kadodara Power Pvt.ltd. v/s. DGVCL & C.E.I., Gandhinagar.	-do-
4	04/2009	CERS &MDEF v/s.UGVCL & GUVNL	Application for wrong tariff other than approved by GERC by UGVCL for unjust enrichment..
5	07/2009	DGVCL v/s.K.M.Y.Kapadiya & Electrical Insp., Surat.	Appeal in pursuance of Order Dtd.3-12-07 passed by Electrical Insp. In Dispute No.3751.
6	08/2009	Gayatri shakti Paper Board & Paper Ltd. v/s.DGVCL & Elect.Inspector,Surat	Seeking appropriate directions for contravening Provision contained in Sec.2 (8),9 &42 of the Electricity Act,2003 &for Interim Stay.
7	09/2009	Nagliya Group of Association v/s. DGVCL & Electrical Insp., Surat.	Seeking appropriate directions for contravening Provision contained in Sec.2 (8),9 &42 of the Electricity Act,2003 &for Interim Stay.
8	10/2009	Rajendra Brave v/s.MGVCL,	Petition U/s.86,87,88,2(15),(26),(27),(46) & 94 of the Electricity Act., 2003.

ANNEXURE 5

Details of the License Applications disposed of during the year 2009-10.

Sr. No.	License App.No.	Filed by	Subject.
1	LA-2/2008	Suzlon Power Infra. Pvt.Ltd.	Transmission license Application.
2	LA-3/2008	Essar SEZ Hazira Ltd.	Distribution License application.
3	LA-4/2008	Suzlon Infra.Limited.	Distribution License application
4	LA-5/2008	Torrent Energy Limited	Distribution License application

ANNEXURE 6

Details of Regulations notified by the Commission.

Sr No	Name of Regulation	Notification Number	Date of Notification
1	Staff Service Regulation	Extra No. 55	19.07.2001
2	Conduct of Business	02 of 2004	25/08/2004
3	Establishment of Ombudsman for Redressal of Grievances of Consumers	03 of 2004	25/08/2004
4	Establishment of Forum for Redressal of Grievances of Consumers	04 of 2004	25/08/2004
5	Grid Code	05 of 2004	25/08/2004
6	Distribution Code	06of 2004	25/08/2004
7	Procedure for filing Appeal before the Appellate Authority Regulations	01 of 2005	07/01/2005
8	Licensing of Transmission	02 of 2005	30/03/2005
9	Licensing of Electricity Trading	03 of 2005	30/03/2005
10	Licensing of Distribution of Electricity	04 of 2005	30/03/2005
11	Levy and Collection of Fees and charges by SLDC Regulations	05 of 2005	30/03/2005
12	Fees, Fines and Charges Regulations	06 of 2005	30/03/2005

Sr No	Name of Regulation	Notification Number	Date of Notification
13	Power System Management Standards	07 of 2005	30/03/2005
14	Security Deposit Regulations	08 of 2005	31/03/2005
15	Licensee's Power to recover expenditure incurred in providing supply and miscellaneous charges	09 of 2005	31/03/2005
16	Standard of Performance of Distribution Licensee	10 of 2005	31/03/2005
17	Electricity Supply code and related matters	11 of 2005	31/03/2005
18	Terms and Conditions of Tariff	12 of 2005	31/03/2005
19	Open Access	12 of 2005	29/10/2005
20	Appointment of Consultant	14 of 2005	29/10/2005
21	Power Procurement from Co-generation and Renewable sources by Distribution Licensee	15 of 2005	29/10/2005
22	Electricity Supply Code and Related Matters (First Amendment)	11 of 2005	14/12/2005
23	Electricity Supply Code and Related Matters (Second Amendment)	GERC/Tech-II /2097/2006	25/09/2006
24	Distribution Code (First Amendment)	GERC/Tech-I /2296/2006	26/10/2006
25	Multi year tariff regulation 2007	1 of 2007	30.11.2007
26	Fixing of Trading Margin	1 of 2010	16.02.2010
27	Licensee's Power to Recover Expenditure incurred in providing Supply and other Miscellaneous Charges (Amendment)	2 of 2010	05.03.2010

Annexure 7

Types of complaints received at Ombudsman's office during 2009-10

Sr. No	Types	No
1	Breach of Contract demand in HTP-IV	3
2	Demand of full Prorata charges on conversion of connection from LT to HT	1
3	Compensation of burst TV set	1
4	Supplementary bill for the consumption of six years	2
5	Substation demanded for New Connection	3
6	Meter dispute	12
7	PDC Reconnection	5
8	Seasonal consumers	2
9	Extension of time limit for deposit of estimate for connection etc.	2
10	Supplementary bill according to HTPII A	1
11	Compelling applicant for application of Contract demand of 500 KVA	1
12	Release of connection	2
13	Bill for period of disconnection	1
14	Demand of interest on refund amount of theft bill	1
15	Release of connection base on fake documents to other person	1
16	Compensation for delay in releasing connection	1
17	Ag connection	8
18	Poor voltage	2
19	Security deposit	1
20	Change of tariff	3
21	Change in contract demand	2
22	Final bill of estimate	1
Total		56

Annexure 8

Numbers of representations received by the Ombudsman's office against orders of CGRFs during year 2009-10

Sr. No.	Names of CGRFs	No of representations received by Ombudsman
1	TPL, Ahmedabad	2
2	TPL, Surat	2
3	UGVCL	5
4	MGVCL	9
5	DGVCL	10
6	PGVCL, Bhavnagar	24
7	PGVCL, Rajkot	2
8	PGVCL, Bhuj	2
Total		56



The Gujarat Electricity Regulatory Commission

1st Floor, Neptune Tower, Opp. Nehru Bridge, Ashram Road, Ahmedabad-380 009

Ph. : +91-079-2658 0350 Fax : +91-079-2658 4542 E-mail : gerc@gercin.org Visit us : www.gercin.org