



Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

No. F. 11(1382)/DERC/2016-17/

Petition No. 35/2016

In the matter of: **Petition seeking reduction in Single Maintenance Charges due to reduced scope of work by BRPL.**

South Delhi Municipal Corporation
Through Executive Engineer (E)/South Zone)
Under Sewa Nagar Flyover,
Bhisham Pitamah Marg,
New Delhi 110 003

....Petitioner

Versus

BSES Rajdhani Power Limited
Through its CEO
BSES Bhawan, Nehru Place
New Delhi

....Respondent/1

M/s Energy Efficiency Services Limited
AJV of PSEs of Ministry of Power
4th Floor, IWAI Building, A-13
Sector – 1, Noida 201 301 (UP)

....Respondent/2

Coram:

Sh. Krishna Saini, Chairperson
Sh. B. P. Singh, Member

Appearance:

1. Mr. Pratap Singh, Advocate
2. Mr. Vikas Jain, SDMC
3. Mr. Rajiv Narang, SDMC
4. Mr. Abhishek Singh, EESL,
5. Mr. Pushdeep, BRPL
6. Mr. Narender Naryan, BRPL

INTERIM ORDER

(Date of Hearing: 12.07.2016)
(Date of Order: 25.07.2016)

1. The instant Petition has been filed by South Delhi Municipal Corporation (SDMC) seeking reduction in the maintenance charges for street lights due to reduced scope of work by BSES Rajdhani Power Limited (BRPL) (Respondent No. 1). Following prayers have been made in the Petition:
 - a) Allow the deduction of material cost of Rs. 19 per month as Respondent No. 2 has undertaken the obligation to arrange supplies for installation and post installation maintenance of the street lights under the TPA;

- b) Allow reduction of the maintenance charge from Rs. 84 per point per month to Rs. 11 per point per month considering the major maintenance obligations have been undertaken by the Respondent no. 2 pursuant to and in terms of the TPA;
- c) Direct DISCOMs other than BRPL to adopt the reduced maintenance charges for LED fittings; and
- d) Revised maintenance charges should be made applicable from the date of installation of LED fittings.

2. Submissions of the Petitioner are as follows:

- a) That the petitioner for implementing the 'National Programme for LED street lights and home lights in 100 cities' has signed a tripartite agreement (TPA) with Respondent no. 1 and Respondent no. 2 on 09.01.2015. It is the petitioner's contention that pursuant to agreement between petitioner and EESL, the Operation and Maintenance of the street lights including maintenance of Lux level have been taken over by EESL. As a result, work load of Respondent No. 1 has reduced by 86%. The reduction of work load is based on the fact that out of total maintenance related complaints received by EESL, only 14% are related to supply faults which are to be taken up by BRPL.
- b) That pursuant to the execution of the TPA the obligation to supply, install, service and maintain LED street light fixtures including their post installation and warranty replacement during the project period has been undertaken by the , Respondent No. 2 (EESL). In view of this, the Respondent no. 1 (BRPL) will not be required to procure material for replacement and maintenance during the project period of 7 years starting from the date of installation of LED streetlights in terms of the TPA. Therefore, as per the directions of the Commission in the tariff order for FY 2014-15 for the Respondent No. 1 read with Order dated 22.09.2009 in Petition No. 55 of 2007, the amount payable towards material charges of Rs. 19 per month should now be abolished with effect from the date of installation of LED fittings.

3. The counsel for the Respondent submitted that the copy of the Petition has not been received by it till date. The counsel for the Petitioner was directed to provide a copy of the Petition to the Respondent without further delay.

4. After hearing the submissions made by the Petitioner, the Commission directed the parties to provide the details, break-up and basis of fixation of extant maintenance charges for street lights so that the prayer of the Petitioner for revision of maintenance charges may be deliberated upon.
5. With the above directions the matter is adjourned. The next date of hearing will be informed in due course
6. Ordered accordingly.

Sd/-
(B.P. Singh)
Member

Sd/-
(Krishna Saini)
Chairperson