



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

No. F. 11(1204)/DERC/2014-15/

Petition No. 32/2015

In the matter of: **Petition for determination of Transmission and Wheeling charges, Cross subsidy charge, Additional Surcharge and other applicable charges for open access transactions in terms of Commission's order dated 24.12.2013, filed by BRPL.**

BSES Rajdhani Power Limited
Through its : **CEO**
BSES Bhawan, Nehru Place,
New Delhi-110019.

....Petitioner

And

Petition No. 33/2015

In the matter of: **Petition for determination of Transmission and Wheeling charges, Cross subsidy charge, Additional Surcharge and other applicable charges for open access transactions in terms of Commission's order dated 24.12.2013, filed by, filed by BYPL.**

BSES Yamuna Power Limited
Shakti Kiran Building,
Karkardooma
Delhi 110 032

....Petitioner

Coram: **Sh. P. D. Sudhakar, Chairperson**
 Sh. J. P. Singh, Member
 Sh. B.P. Singh, Member

Appearance:

1. Mr. Buddy A Ranganadhan, Adv., BRPL
2. Mr. Arijit Maitra, Adv., BRPL
3. Mr. Hasan, Adv. BRPL
4. Mr. Shashi Goyal, BRPL
5. Mr. Rajeev Chowdhary, BRPL
6. Mr. Ravi, BRPL
7. Mr. Kanishk, BRPL
8. Mr. Abhishek Srivastava, BYPL
9. Mr. Shekhar Saklani, BYPL
10. Mr. Shyamal Sutradhar, DTL/SLDC
11. Mr. Susheel Gupta, DTL
12. Mr. Vaibhav Saini, IERS
13. Mr. Gaurav Nand, IERS

INTERIM ORDER

(Date of Hearing: 14.07.2015)

(Date of Order: 22.07.2015)

1. The Petitions are in respect of certain issues like Regulatory Assets Charge, Additional Surcharge, payment security etc. for Open Access transactions and the Petitioner was informed by the Commission that in a meeting held on

23.06.2015 with the officers of the DISCOMs, SLDC etc., the issues relating to the Open Access have been deliberated upon and therefore, the issues raised in the instant petition also might have been settled.

2. The Counsel for the petitioners submitted that the issue relating to the recovery of Regulatory Assets requires reconsideration, more particularly keeping in view the decision of Hon'ble APTEL in Appeal No. 294 of 2013, wherein Hon'ble APTEL has upheld the recovery of Regulatory Assets through a surcharge from the charge over consumers.
3. The Counsel for the Petitioners further submitted that issues relating to charges for deviation and payment security mechanism may also be taken care of by appropriate amendments in the Regulations.
4. On the issue of payment of wheeling charges, the Counsel for the Petitioners submitted that as per the Proviso to Section 86(1)(a) of the Electricity Act, the State Commission shall determine the wheeling charges and surcharges on open access and therefore, it has to be determined by the Commission and there is no such order in which the Commission has determined the wheeling surcharge keeping in view the ARR of the Petitioners.
5. The Commission directed the Engineering Division of the Commission to have a meeting with the Petitioners and the concerned parties and submit a report on the issues raised by the Petitioner. If required, the Petitioner may *submit* additional information to the Engineering Division of the Commission.
6. The hearing is adjourned and the next date of hearing will be informed in due course.
7. Ordered Accordingly.

Sd/-
(B.P. Singh)
Member

Sd/-
(J. P. Singh)
Member

Sd/-
(P. D. Sudhakar)
Chairperson