



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

No. F. 11(1217)/DERC/2015-16/

Petition No. 43/2015

In the matter of: **Miscellaneous Petition for refund of excess amount charged through Cross subsidy Surcharge, read with DERC (Terms and Conditions for Open Access) Regulations, 2005 and DERC (Renewable Purchase Obligation and Renewable Energy Certificate framework implementation) Regulations, 2012, u/s 62 (6) and Section 142 of the Electricity Act, 2003.**

Duggar Fiber Pvt. Ltd..
C-10, S.M.A., Co-op. Indl. Estate Ltd.,
G.T Karnal Road,
New Delhi 110 033

....Petitioner

Vs.

Tata Power Delhi Distribution Ltd.
Through its Managing Director
Grid Sub Station Building
Hudson Lines, Kingsway Camp,
Delhi 110 009

...Respondent

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

Appearance:

1. Mr. Gaurav Nand, Duggar Fiber Pvt. Ltd.
2. Mr. Atul Shrivastav, Duggar Fiber Pvt. Ltd.
3. Mr. Vaibhav Sain, Duggar Fiber Pvt. Ltd.
4. Mr. Anurag Bansal, TPDDL
5. Mr. Hemant Goyal, TPDDL
6. Mr. Ajay Kaundal, TPDDL
7. Mr. Sumit Sahdev, TPDDL
8. Ms. Meghna, TPDDL
9. Ms. Nayantara, TPDDL
10. Mr. Arun Chauhan, TPDDL
11. Mr. Mithun Chakraborty, TPDDL
12. Mr J.K. Sinha, TPDDL

INTERIM ORDER

(Date of Hearing: 16.06.2015)
(Date of Order: 22.06.2015)

1. Mr. Gaurav Nand, Representative for the Petitioner submitted that instant petition has been filed by the petitioner u/s 62 (6) of the Electricity Act, 2003 for the refund of the excess amount charged by the Respondent(TPDDL) through Cross Subsidy Surcharge on Open Access procurement of power by the petitioner. According to the petitioner the Commission has determined various Open Access charges including Cross Subsidy Surcharge applicable on open access consumers of Delhi through its order dated 24.12.2013 for various categories of consumers. The petitioner being an industrial consumer of TPDDL existing at 11KV voltage level is to be charged the cross subsidy surcharge of 26.37 paise/kwh as per the order dtd. 24.12.2013 on the quantum of power consumed in Open Access. It is the contention of the petitioner that respondent is raising

bills to the consumer at the cross subsidy surcharge of 59 paise/kwh which is in excess of the amount determined by the Commission. Further, the petitioner may be exempted from paying cross subsidy charge on procurement of renewable energy upto the extent of RPO i.e 6.2%.

2. The representative for the respondent TPDDL submitted that the rate for cross subsidy surcharge has to be revised annually and the petitioner is seeking surcharge on the basis for order for the FY 2013-14, whereas the instant petition is for FY 2014-15.
3. The Commission admits the Petition and directs that Notices may also be issued to State Load Dispatch Center (SLDC). The petitioner shall serve a copy of the petition to the aforesaid concerned parties within two weeks. The Concerned parties may file their reply to the petition within two weeks thereafter with an advance copy to the petitioner.
4. The next date of hearing will be informed in due course.
5. Ordered Accordingly.

Sd/-
(B.P. Singh)
Member

Sd/-
(J. P. Singh)
Member

Sd/-
(P. D. Sudhakar)
Chairperson