ORDER

OF THE

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF

In Case No. WBERC/OA-275/18-19

IN REGARD TO THE APPLICATION SUBMITTED BY THE WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED (WBSEDCL) FOR ISSUANCE OF ORDER TO DISTRIBUTE ACCUMULATED FUND FROM THE UI ACCOUNT AMONGST DISTRIBUTION LICENSEES AS PER REGULATION 6.14.5 OF THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF TARIFF) REGULATIONS, 2011, AS AMENDED.

PRESENT:
SRI SUTIRTHA BHATTACHARYA, CHAIRPERSON
SRI DURGADAS GOSWAMI, MEMBER

DATE: 10.06.2019

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In regard to the application submitted by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) for issuance of order to distribute accumulated fund from the UI account among distribution licensees as per regulation 6.14.5 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended.

CASE IN BRIEF

1.0 West Bengal State Electricity Distribution Company Limited (In short "WBSEDCL,"
submitted an application on 04.06.2018 for issuance of order by West Bengal Electricity Regulatory Commission (in short the 'Commission') to distribute the accumulated fund from the UI account amongst the distribution licensees as per regulation 6.14.5 of the WBERC (Terms and Conditions of Tariff) Regulations, 2011 as amended (in short 'Tariff Regulation').

2.0 In their application WBSEDCL submitted that as per provision of regulation 6.14.5 of the Tariff Regulation framed by the Commission if at the end of a financial year, there is any amount in the UI account then 90% of such amount will be used for distributing among the licensee in proportion to the amount of energy required by the licensee for selling the power to the consumer and the licensee of the Commission. Such distributed amount shall be kept in the power purchaser fund of the concerned licensee.

3.0 WBSEDCL further submitted that as per regulation 6.13.1 of the Tariff Regulations, UI charges, (now called deviation charge as per CERC (Deviation Settlement Mechanism and Related Matters) Regulations, 2014 is paid by the beneficiary(ies), licensee(s), generating stations and other entities on whom the said charges are applicable to the West Bengal State Load Despatch Centre (in short 'WBSLDC') in accordance with the charge as applicable from the date of the notification of the Commission.

4.0 WBSEDCL also submitted that WBSLDC had distributed Rs 55.06 crore from UI account among Distribution Licensees in its suo-moto order dated 14.07.2010 of the Commission. Since then no such amount has been distributed by WBSLDC to the beneficiaries.

5.0 Under the circumstances WBSEDCL has prayed before the Commission to pass an order so that WDSLDC may distribute the accumulated fund from the UI account at the end of each financial year among the licensees in proportion to the amount of energy required through state grid under Deviation Settlement Mechanism (excluding radial
In regard to the application submitted by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) for issuance of order to distribute accumulated fund from the UI account among distribution licensees as per regulation 6.14.5 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended.

supply as such radial supply does not fall under Deviation Settlement Mechanism and accumulated fund in UI account is created during deviation settlement of grid power scheduled to transmit through grid only) for selling the grid power to the consumer and licensees of the Commission under regulation 6.14.5 of the Tariff Regulations.

OBSERVATIONS OF THE COMMISSION

6.0 In terms of regulation 6.14.5 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended (hereinafter referred to as the “Tariff Regulations”) if at the end of a financial year there is any amount in UI account, 90% of such amount will be used for distributing among the licensees in proportion to the amount of energy required by the licensee for selling the power to its consumer and licensees of the Commission.

7.0 SLDC has already submitted the audited Statement of Affairs of the SLDC-UI Fund as on 31.03.2018 along with Receipt and Payment Account and Revenue Account for the period from 01.04.2017 to 31.03.2018. It is observed, from the Statement of Affairs as on 31.03.2018 that the pool account balance standing as on 31.03.2018 amounts to Rs. 88,82,80,621.00 and Revenue Reserve account balance as on 31.03.2018 amounts to Rs. 53,25,97,902.58. The Revenue Reserve represents the interest earned on Fixed Deposits made out of UI Fund and thus it is to be considered as a part of UI Pool Balance. The aggregate pool balance of SLDC-UI fund as on 31.03.2018 thus stands at Rs. 1,42,08,78,523.58.

8.0 Considering the facts above, the Commission decides to utilize 90% of the aggregate Pool Balance Rs.142,08,78,523.58 available with SLDC-UI Fund as on 31.3.2018 for distribution among the participating licensees as per the Regulation 6.1.2 of the Tariff Regulations, 2011 as amended in proportion to the actual Energy (in MU) drawal through state grid during the year 2017-18 on the basis of data available from Energy Accounting Unit of SLDC, WBSETCL on April 11, 2019. The computation is given in the table below:
In regard to the application submitted by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) for issuance of order to distribute accumulated fund from the UI account among distribution licensees as per regulation 6.14.5 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Item</th>
<th>Amount (Rs. in lakh)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pool Balance as on 31.03.2018</td>
<td>14208.78</td>
</tr>
<tr>
<td>2</td>
<td>Pool Balance to be utilized as per this order (90%)</td>
<td>12787.90</td>
</tr>
<tr>
<td>3</td>
<td>Energy required by the licensee for selling power to its consumers and licensee of the Commissions during the Year 2017-18 on the basis of data available from SLDC, WBSETCL</td>
<td></td>
</tr>
<tr>
<td>a) WBSEDCL</td>
<td>37294.628 MU</td>
<td></td>
</tr>
<tr>
<td>b) CESC Limited</td>
<td>2325.901 MU</td>
<td></td>
</tr>
<tr>
<td>c) DPL</td>
<td>231.838 MU</td>
<td></td>
</tr>
<tr>
<td>d) IPCL</td>
<td>506.330 MU</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>40358.697 MU</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Distributable amount to the licensee:</td>
<td></td>
</tr>
<tr>
<td>a) WBSEDCL</td>
<td>11817.03</td>
<td></td>
</tr>
<tr>
<td>b) CESC Limited</td>
<td>736.98</td>
<td></td>
</tr>
<tr>
<td>c) DPL</td>
<td>73.46</td>
<td></td>
</tr>
<tr>
<td>d) IPCL</td>
<td>160.43</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>12787.90</td>
<td></td>
</tr>
</tbody>
</table>

9.0 Allocable amount of Rs. 73.46 lakh for DPL as mentioned in Sl. No. 4 in the table above will accrue to WBSEDCL considering the takeover of distribution business of DPL by WBSEDCL as approved by the Commission vide order dated 31.12.2018.

ORDER OF THE COMMISSION

10.0 West Bengal State Electricity Transmission Company Limited (in short 'WBSETCL') is directed to distribute Rs. 12787.90 lakh from the SLDC-UI-Fund to the licensees as per Sl. No. 4 in the table under paragraph 8.0 above read with paragraph 9.0 within one month from the date of issue of this order and the allocated amount is to be deposited in the Power Purchaser Fund by the concerned licensees. The licensees are directed to utilize the same to meet the power purchase liability for the year 2019-20 and to submit a compliance report along with their application for Annual Performance Review for the year 2019-20.
In regard to the application submitted by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) for issuance of order to distribute accumulated fund from the UI account among distribution licensees as per regulation 6.14.5 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended.

11.0 The Petition is thus disposed off.

12.0 Let a copy of this order be served upon West Bengal State Electricity Transmission Company Limited (WBSETCL), State Load Despatch Centre (SLDC), West Bengal State Electricity Distribution Company Limited (WBSEDCL), CESC Ltd, Durgapur Projects Limited (DPL) and India Power Corporation Limited (IPCL).

Sd/-
(DURGADAS GOSWAMI)
MEMBER

Sd/-
(SUTIRTHA BHATTACHARYA)
CHAIRPERSON

Dated: 10.06.2019

Sd/-
(T. K. MUKHERJEE)
SECRETARY

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West Bengal Electricity Regulatory Commission