Ref No.: WBERC/APR-39/13-14/1698

From:
K. P. Bhar, I.A.S.(Retd.)
Secretary, WBERC

Dated, Kolkata, the 20th January, 2014

To
The Chairman & Managing Director,
The West Bengal Power Development Corporation Limited,
Bidyut Unnayan Bhaban,
3/C, LA – Block, Sector – III,
Bidhannagar,
Kolkata – 700 098

Sub: Application for Annual Performance Review (APR) for the financial Year 2012-13

Ref: Letter No. WBPDCL/WBERC-18/13/1596 dated 29.11.2013

Sir,

With reference to above, I am directed to inform you that required information in the Forms under Annexure – 1 as per list enclosed in line with regulations 2.6.1 and 2.7.2 of West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulation, 2011 have not been submitted by you along with APR application for the year 2012-13.

I am accordingly directed to request you to furnish the information in the aforesaid Forms for formal acceptance of your application of APR for the year 2012-13. If no expenditure was incurred under any head of account as per those Forms, you are required to submit the relevant Forms showing ‘Nil’ expenditure.

You are also required to submit a statement on availability of each generating station during the year 2012-13 duly certified by SLDC.

Encl: As above.

Yours faithfully,

(K. P. Bhar)
Secretary

[Signature]

[Stamp]
WBPDCL: APR petition for the year 2012-13 vide APR-39/12-13 dated 29.11.2013

The following forms under Annexure – I as per regulation 2.7.2 of West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended, are not submitted by WBPDCL with the APR application for the financial year 2012-13:

1. Form 1.17(a) – Interest on temporary accommodation
2. Form 1.17(d) – Foreign Exchange Rate Variation (FERV)
3. Form 1.17(i) – Details of arrear against wage revision
4. Form 1.17(j) – Statement of Penalty / Fine/ Cess etc.
5. Form 1.17(k) – Cost of Outsourcing
6. Form 1.18(a) – Original cost of Works in Progress
7. Form 1.18(b) – Intangible Assets
8. Form 1.18(c)(i) – Investments
9. Form 1.18(c)(ii) – Income from Investments
10. Form 1.19(c) – Project Specification
11. Form 1.20(b) – Normative Debt for BkTPS and SgTPS
12. Form 1.23 – Permitted incentive
13. Form 1.24 – Benefits Passed on to consumer
West Bengal Electricity Regulatory Commission
FD-415A, Poura Bhawan, 3rd Floor, Sector-III
Bidhannagar, Kolkata – 700 106
Telephone No.: (033) 2359 3397, 2359 2189
Fax No.: (033) 2359 3397
website: www.wberc.net
E-mail: wberc99@gmail.com

Ref No.: WBERC/APR-39/13-14/

From:
T. K. Chakrabarti, Advisor(Engg.) and
Secretary(Officiating), WBERC

To
The Chairman & Managing Director,
The West Bengal Power Development Corporation Limited,
Bidyut Unnayan Bhaban,
3/C, LA – Block, Sector – III,
Bidhannagar,
Kolkata – 700 098

Sub: Application for Annual Performance Review (APR) for the financial Year 2012-13

Sir,

With reference to above, I am directed to inform you that the Commission has not yet received the documents/information on the supra-cited subject matter from your end till date, which corresponds to be an inordinate delay at your end in connection with the Annual Performance Review (APR) by the Commission. This may lead to an environment of obstruction towards normal functioning of the Commission as per extant Act, Rules and Regulations and disposal of the APR petition in time.

However, may it be noted that the Commission will have left no other alternative but to take suo-moto decision leaving all excuses.

In addition, I am further directed to intimate you that in view of the order of Hon’ble Appellate Tribunal for Electricity in case No: OP No.1 of 2011, the Commission decides henceforth to make the Hon’ble Appellate Tribunal for Electricity informed of time to time ‘present status’ of the submission of application for Fuel and Power Purchase Cost Adjustment, Annual Performance Review, determination of Tariff, etc. under Multi-Year Tariff framework including our communications to you in connection with all these issues.

Yours faithfully,

(T. K. Chakrabarti)
Advisor(Engg.) & Secretary(Offtg.)

Ref No.: WBERC/APR-39/13-14/ | 801(C:)

Dated, Kolkata, the 12th February, 2014

Copy to: The Additional Chief Secretary, Govt. of West Bengal, Department of Power and Non-conventional Energy Sources, New Secretariat Building, 1, Kiron Sankar Roy Road, Kolkata – 700 001.

(T. K. Chakrabarti)
Advisor(Engg.) & Secretary(Offtg.)
Ref. No.: WBPDCL/WBERC-19/14/1728

The Secretary,
West Bengal Electricity Regulatory Commission,
FD-415A, Paura Bhavan,
3rd Floor, Sector-III, Bidhannagar,
Kolkata – 100 106

Sub.: Application for Annual Performance Rearview for the Financial Year 2012-13

14th February, 2014

Dear Sir,

This has reference to your Letter No. WBERC/APR-39/13-14/1698 dt. 20th January, 2014 directing us to furnish information in respect of certain forms of Annexure-I of the application for Annual Performance Review for the Financial Year 2012-13. The format as directed are furnished below:

1. Form 1.17(a) - Interest on temporary accommodation
2. Form 1.17(d) - Foreign Exchange Rate Variation (FERV)
3. Form 1.17(i) - Details of arrear against wage revision
4. Form 1.17(j) - Statement of Penalty/Fine/Cess etc.
5. Form 1.17(k) - Cost of Outsourcing
6. Form 1.18(a) - Original cost of Works in Progress
7. Form 1.18(b) - Intangible Assets
8. Form 1.18(c)(i) - Investments
9. Form 1.18(c)(ii) - Income from Investments
10. Form 1.19(c) - Project Specification
11. Form 1.20(b) - Normative Debt for BkTPS and SgTPS
12. Form 1.23 - Permitted incentive
13. Form 1.24 - Benefits Passed on to consumer
14. Statements on availability in respect of each generating stations during the year 2012-13 duly certified by SLDC.

Due to unavoidable circumstances, beyond our control, we have not been able to furnish the aforesaid information to the Hon’ble Commission which is sincerely regretted. Kindly condone us for the delay.

Thanking you,

Yours faithfully,

(M. Raychaudhuri)
Director (Finance & Reg. Affairs)

Enclo.: As stated above.
Ref No. WBERC/APR-39/12-13/1830

From: K. P. Bhar, I.A.S, (Retd),
Secretary, WBERC.

To: The Chairman & Managing Director,
West Bengal Power Development Corporation Limited,
Bidyut Unnayan Bhavan, 3/C, LA Block,
Sector-III, Kolkata 0700 098

Sub: Publication of gist of application for Annual Performance Review (APR) for the year 2012-13 in the leading newspapers

Ref: Your letter No. WBPDCL/WBERC-18/13/1596 dated 29.11.2013

Sir,

I am directed to refer to your letter under reference on the above subject and inform you that your application for Annual Performance Review (APR) for the year 2012-13 has been admitted by the Commission and numbered as APR-39/13-14. I am further directed to say that, you are required to publish a gist of the application, as given in the enclosure and approved by the Commission, within 5 (five) working days from the date of receipt of this communication in at least four daily newspapers circulated in your area and at least one each of such newspapers being in Bengali and English, in terms of regulation 2.6.12 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended. You are also required to post the application for APR in your Website before publication of the gist.

I am also directed to request you to kindly arrange to affix the logo of the West Bengal Power Development Corporation Limited (WBPDL) along with the address on the top of the notice publishing the gist and also mention at the bottom, name and designation of the official who issues the gist for publication.

You will please send to this Commission one copy of each of the relevant page of the newspapers publishing the gist of the application as soon as these are published.

Yours faithfully,

(K. P. Bhar)
Secretary

Encl: As stated above.
THE WEST BENGAL POWER DEVELOPMENT CORPORATION LTD
(A Government of West Bengal Enterprise)

Registered & Corporate Office
Bidyut Unnayan Bhaban
3/C, LA-Block, Sector-III, Bidhannagar, Kolkata – 700 098

Gist of Application for
Annual Performance Review (APR) for the year 2012-13

1. The West Bengal Power Development Corporation Limited (WBPDCL) has made an application before the West Bengal Electricity Regulatory Commission (Commission) for Annual Performance Review (APR) for the year 2012-13 on 29.11.2013. WBPDCL has also submitted some data/information relating to the APR application for 2012-13 on 17.02.2014. The APR application along with data/information submitted on 17.02.2014 have been admitted by the Commission on 19.02.2014.

2. The APR Application is for approval towards net fixed cost for the Financial Year 2012-13, comprising Employee cost, Other Administrative and General Charges, Coal and Ash handling Charges, Rent Rates and Taxes, Repairs and Maintenance including Consumables, Cost of Outsourcing, Interest, Other Financing Charges, Interest on Working Capital, Depreciation, Water Cess, Tax, Reserve for Unforeseen exigencies, Permitted Return, etc. with due reduction of claim on account of Income other than energy sales.

3. The APR Application in three volumes along with further data/information in one volume may be inspected at the office of the Commission at FD-415A, POURA BHAWAN (3rd Floor), Sector-III, Bidhannagar, Kolkata-700106 and/or at the Registered Office of WBPDCL at Bidyut Unnayan Bhaban, 3/C, LA-Block, Sector-III, Bidhannagar, Kolkata-700098 during the office hours on all working days upto 19.03.2014 and certified copies of the application or part thereof may be obtained from the office of the Commission during office hours on all working days up to 19.03.2014.

4. The Applications submitted by WBPDCL has been posted on the website of the applicant wbpdcl@wbpdcl.co.in

5. The suggestions and objections, if any, on the proposals contained in the Applications may be submitted at the office of the Commission mentioned above by 21.03.2014.

6. This gist has been published with the approval of the Commission.

Place : 
Name and Designation of the Signatory
Date : 

Ref. No. : WBPDCL/WBERC-19/14/CS/17 54

03rd March, 2014

The Secretary,
West Bengal Electricity Regulatory Commission,
FD-415A, P aura Bhavan, 3rd Floor,
Sector-III, Bidhannagar,
Kolkata – 700 106

Sub.: Gist of the application for Annual Performance Review (APR) for the FY 2012-13

Dear Sir,

As directed vide your Letter No. WBERC/APR-39/12-13/1830 dt. 19th February, 2014, we are enclosing the Gist of the Annual Performance Review (APR) for the FY 2012-13, duly approved by the Commission, published in the (1) Ananda Bazar Patrika (Bengali) (2) AAj Kaal (Bengali) (3) The Times of India (English) & (4) The Telegraph (English) in their 01st March, 2014 editions. The tear sheets of the aforesaid publications are enclosed for ready reference.

The above referred publication has also been posted on the website of WBPDCL.

Kindly acknowledge receipt.

Thanking you,

Yours faithfully,

(A Bhattacharyya)

Company Secretary

Enclo.: As stated above.
The West Bengal Power Development Corporation Limited (WBPDCCL) has made an application before the West Bengal Electricity Regulatory Commission (Commission) for Annual Performance Review (APR) for the year 2012-13 on 29.11.2013. WBPDCCL has also submitted some data/information relating to the APR application for 2012-13 on 17.02.2014. The APR application along with data/information submitted on 17.02.2014 have been admitted by the Commission on 19.02.2014.

The APR Application is for approval towards net fixed cost for the Financial Year 2012-13, comprising Employee cost, Other Administrative and General Charges, Coal and Ash handling Charges, Rent Rates and Taxes, Repairs and Maintenance including Consumables, Cost of Outsourcing, Interest, Other Financing Charges, Interest on Working Capital, Depreciation, Water Cess, Tax, Reserve for Unforeseen exigencies, Permitted Return, etc. with due reduction of claim on account of Income other than energy sales.

The APR Application in three volumes along with further data/information in one volume may be inspected at the office of the Commission at FD-415A, POURA BHAWAN (3rd Floor), Sector-III, Bidhannagar, Kolkata-700106 and/or at the Registered Office of WBPDCCL at Bidyut Unnayan Bhaban, 3/C, LA-Block, Sector-III, Bidhannagar, Kolkata-700098 during the office hours on all working days upto 19.03.2014 and certified copies of the application or part thereof may be obtained from the office of the Commission during office hours on all working days up to 19.03.2014.

The Applications submitted by WBPDCCL has been posted on the website of the applicant wbpdccl@wbpdccl.co.in

The suggestions and objections, if any, on the proposals contained in the Applications may be submitted at the office of the Commission mentioned above by 21.03.2014.

This gist has been published with the approval of the Commission.

Place- Kolkata
Date- 26.02.2014

M. Raychaudhuri
Director (F&A&A&RA)
Ref No. WBERC/ APR-39/13-14/19c3

Dated, Kolkata, the 6th March, 2014

From:
K.P. Bhar, IAS (RETD.)
Secretary

To
The Chairman & Managing Director,
West Bengal Power Development Corporation Ltd.,
“Bidhyut Unnayan Bhawan”
3/C, LA-Block, Sector-III,
Bidhannagar, Kolkata- 70 098

Sub: Gist of the application for Annual Performance Review (APR) for the FY 2012-13

Ref: Letter No. WBPDC/WBERC/-19/14/CS/1754 dated 03.03.2014

Sir,

I am directed to refer on the above subject matter and to inform you that the communication on admission of your APR application for the year 2012-13 along with the approved gist of your application was sent to your end on 19.02.2014. The above gist inviting suggestions, objections and comments from interested parties was required to be published in the Newspapers within five working days from the date of receipt of that communication in terms of regulation 2.6.12 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 which was also mentioned in our letter. It is observed from your letter under reference that the gist was published in the Newspapers on 1st March, 2014 i.e. much after five working days under reference as stipulated in the relevant regulation.

I am directed to communicate you that the Commission seeks clarification from your end for such delay in publishing the gist of APR in the Newspapers inviting suggestions/objections from the public as well as violation of the provision in the above stated Regulations.

Yours faithfully,

(K.P. Bhar)
Secretary

[Signature]
Ref. No.: WBPDC/WBERC-19/14/CS/1790

06th March, 2014

The Secretary,
West Bengal Electricity Regulatory Commission,
FD-415A, Paura Bhavan, 3rd Floor,
Sector-III, Bidhannagar,
Kolkata – 700 106

Sub.: Publication of the Gist of the application for Annual Performance Review for the FY 2012-13

Sir,

Please refer to your letter No. WBERC/APR-39/13-14/1903 dt. 06.03.2014 regarding delay in publication of the Gist of the Application for Annual Performance Review for the year 2012-13.

We are extremely sorry to state that although the communication on admission of the APR for 2012-13 was duly received at our end, the same was misplaced. Subsequently, after locating the communication, the publication in the News Papers have been made in their 1st March, 2014 edition. This has resulted in delay in publication of the Gist by three days which was due on 26.02.2014.

We regret once again for the delay at our end in publication of the Gist of APR for 2012-13 which may kindly be condoned.

Thanking you,

Yours faithfully,

(M. Raychaudhuri)
Director (Finance & Reg. Affairs)
Ref No. WBERC/APR-39/13-14/1917

Dated: 7th March 2014

From:
K. P. Bhar, IAS (Retd)
Secretary, W.B.E.R.C

To
The Chairman & Managing Director,
WBPDC Ltd,
"Bidyut Unnayan Bhawan",
3/C, LA-Block, Sector-III,
Bidhannagar, Kolkata – 700098.

Subject: Publication of the Gist of the application for Annual Performance Review for the FY 2012-13.

Reference: Your letter No. WBPDCL/WBERC-19/14/CS/1790 dated 06.03.2014

Sir,

In reference to above I am directed to inform that the Commission is surprised to note that the important communication on admission of your APR application for 2012-13 was duly received by you but misplaced. Such lack of care, rather casual approach on the part of your office led to violation of the provision of the respective regulation framed by the Commission.

2. I am, therefore, directed to inform that this Commission expects your office to take adequate caution so that such unfortunate incident does not occur in future.

Thanking you,

Yours faithfully,

(K P Bhar)
Secretary