



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ASSAM ELECTRICITY REGULATORY COMMISSION

## NOTIFICATION

Dated the 8th November, 2017

### **Assam Electricity Regulatory Commission (Terms and Conditions for determination of Multi Year Tariff) Regulations, 2015, First Amendment, 2017**

**No. AERC/396/2012/Pt-III/20.-** In exercise of the powers conferred under Section 61 read with Section 181(2) (zd) of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, and after previous publication, the Assam Electricity Regulatory Commission hereby makes the following regulations, to amend the Assam Electricity Regulatory Commission (Terms and Conditions for determination of Multi Year Tariff) Regulations, 2015 (hereinafter referred as the Principal Regulation):

#### **1. Short title and commencement**

- 1.1 These regulations may be called the Assam Electricity Regulatory Commission (Terms and Conditions for determination of Multi Year Tariff) Regulations, 2015,(First Amendment),2017.
- 1.2 These regulations shall come into force from the date of their publication in the Assam Gazette.
- 1.3 These Regulations shall apply throughout the State of Assam.

#### **2. Amendment of the Regulation 6.13 (2<sup>nd</sup> Proviso) of the Principal Regulation:** The 2<sup>nd</sup> Proviso of the Regulation 6.13 of the Principal Regulations, shall be substituted as under-

*“Provided that if the actual capital expenditure incurred is more than the approved capital expenditure, the Commission may take appropriate decision at the time of true-up of the cost incidental to such variations”*

- 3. Amendment of the Regulation 10.3 (b) of the Principal Regulation:** The Regulation 10.3 (b) of the Principal Regulations, shall be substituted as under:

*"b) Annual Review: a comparison of the revised performance targets of the applicant for the current financial year with the approved forecast in the Tariff order corresponding to the Control period for the current financial year subject to prudence check including adjusting trajectories of uncontrollable and controllable items"*

- 4. Amendment of the Regulation 35.9 of the Principal Regulation:** The Regulation 35.9 of the Principal Regulation, shall be substituted as under:

*"35.9 Interest shall be allowed on the amount held as security deposit by the Distribution Licensee from consumers, at the rate equal to SBI marginal cost of funds based lending rate (MCLR) (one year tenor) prevalent during the last available six month"*

- 5. Amendment of the Regulation 37.3 (c) of the Principal Regulation:** The Regulation 37.3 (c) of the Principal Regulation, shall be substituted as under:

*"c) Interest shall be allowed on the amount held as security deposit by the Distribution Licensee from consumers, at the rate equal to SBI marginal cost of funds based lending rate (MCLR) (one year tenor) prevalent during the last available six month"*

- 6. Amendment of the Regulation 37.4 (c) of the Principal Regulation:** The Regulation 37.4 (c) of the Principal Regulation, shall be substituted as under:

*"c) Interest shall be allowed on the amount held as security deposit by the Distribution Licensee from consumers, at the rate equal to SBI marginal cost of funds based lending rate (MCLR) (one year tenor) prevalent during the last available six month"*

- 7. Amendment of the Regulation 41.4 of the Principal Regulation:** The Regulation 41.4 of the Principal Regulation, shall be substituted as under:

*"41.4 A Generating Company may make a Petition for determination of provisional tariff in advance of the anticipated Date of Commercial Operation of Unit or Stage or Generating Station as a whole, as the case may be, based on the capital expenditure actually incurred up to the date of making the Petition or a date prior to making of the Petition, duly audited and certified by the statutory auditors/independent auditors and the provisional tariff shall be charged from the date of commercial operation of such Unit or Stage or Generating Station, as the case may be"*

- 8. Amendment of the Regulation 49.2 (i) of the Principal Regulation:** The Regulation 49.2 (i) of the Principal Regulations, shall be substituted as under:

## i) Existing Plants

Name of the Plant	MYT Period		
	FY 2016-17	FY 2017-18	FY 2018-19
i) Namrup TPS	50%	50%	50%
ii) Lakwa TPS with WHRU	50%	50%	50%
iii) EIPL Plants			
Adamtila CCGT	66.46%	66.46%	66.46%
Banskandi CCGT	68.49%	68.49%	68.49%

**9. Amendment of the Regulation 49.3 (i) of the Principal Regulation:** The Regulation 49.3 (i) of the Principal Regulations, shall be substituted as under:

## i) Existing Plants

Name of the Plant	MYT Period		
	FY 2016-17 (%)	FY 2017-18 (%)	FY 2018-19 (%)
i) Namrup TPS	4.50%	4.50%	4.50%
ii) Lakwa TPS with WHRU	5.50%	5.50%	5.50%
iii) EIPL Plants			
Adamtila CCGT	5.50%	5.50%	5.50%
Banskandi CCGT	5.50%	5.50%	5.50%

**10. Amendment of the Regulation 49.4 (i) of the Principal Regulation:** The Regulation 49.4 (i) of the Principal Regulations, shall be substituted as under:

## i) Existing Plants

Name of the Plant	MYT Period		
	FY 2016-17 (kCal/kWh)	FY 2017-18 (kCal/kWh)	FY 2018-19 (kCal/kWh)
<b>NTPS:</b>			
(i) O.C	4300	4300	4300
(ii) Partially C.C	3900	3900	3900
<b>LTPS:</b>			
(i) O.C	3900	3900	3900
(ii) Partially C.C	3200	3200	3200
<b>EIPL Plants:</b>			
Adamtila CCGT	2500	2500	2500
Banskandi CCGT	2110	2110	2110

**11. Amendment of the Regulation 51.1 of the Principal Regulation:** The Regulation 51.1 of the Principal Regulation shall be substituted as under:

*51.1 The norms of operation as given hereunder shall apply for existing hydro stations in the state:*

Parameters	KLHEP
NAPAF	85%
PLF	44.5%
Auxiliary Consumption	0.50%

**12. Amendment of the Regulation 52.1 of the Principal Regulation:** The following clause may be added to Regulation 52.1 of the Principal Regulation:

*e. One-time expenses such as expense due to change in accounting policy, arrears paid due to pay commissions and interim relief etc., shall be excluded from the norms in the trajectory and may be allowed by Commission after prudence check;*

*f. The expenses beyond the control of the generating company such as dearness allowance, pension liabilities and terminal benefits in Employee cost etc., shall be excluded from the norms in the trajectory and may be allowed by Commission after prudence check.*

**13. Amendment of the Regulation 68.5 of the Principal Regulation:** The following clause may be added to Regulation 68.5 of the Principal Regulation:

*68.5.2. One-time expenses such as expense due to change in accounting policy, arrears paid due to pay commissions and interim relief etc., shall be excluded from the norms in the trajectory and may be allowed by Commission after prudence check;*

*68.5.3. The expenses beyond the control of the licensee such as dearness allowance, pension liabilities and terminal benefits in Employee cost etc., shall be excluded from the norms in the trajectory and may be allowed by Commission after prudence check;*

(By the order of the Commission)

**S. K. ROY,**

Secretary,

Assam Electricity Regulatory Commission.