



Chhattisgarh State Electricity Regulatory Commission

Civil Lines, G.E. Road, Raipur – 492001

Tel: 0771-5073555, Fax-5073553

Petition No. 23/2005 (M)

Er. Shyam Kabra, Chairman LT
Consumer Sub Committee of U.I.A.

.....Petitioner

ORDER

(Passed on 13.9.2005 in Petition No. 23 of 2005(M))

An application for review of the tariff order passed by the Commission in Petition No. 5 of 2005, has been filed by Shri Shyam Kabra, President of the LT Consumers Sub-Committee of the Urla Industries Association, Raipur under clause 33 of the CSERC (Details to be furnished by licensee or generating company for determination of tariff and manner of making application) Regulations, 2004 (herein after referred to as Tariff Regulation). The applicant represents the interest of the LT industries located in the Urla Industrial Area in Raipur. The applicant was heard in detail on the grounds and admissibility of the application for review.

2 This application has been made on comprehensive grounds including the lapses in the procedure adopted by the Commission in determination of tariff; the lack of transparency in the procedure followed by the Commission in that the various letters addressed by the Association have not been addressed in the tariff order; there was no public hearing on the additional filing made by the CSEB on 6.5.2005 in the tariff petition; the energy sales forecast submitted by the CSEB is not correct; so is the position in respect to the calculations of distribution losses; and the power purchase rates are excessive and have been fudged. Besides, two issues relating to LT industrial consumers have also been raised in the review application, viz. the assumption that LT consumers have control over power factor is not correct; and that the tariff increase in case of LT industrial consumers (higher than 100HP) is excessive. It is thus seen that the main focus of the review petition is on the issue of determination of the annual revenue requirement (ARR) as projected by the CSEB in the tariff petition. There are only two issues relating directly to the tariff for LT industries whom the petitioner represents. In the prayer clause of the petition also a plea has been made for constitution of an expert committee under section 94(3) of the Act to represent the interest of the consumers in re-determination of tariff which may be ordered by the Commission as a result of the review. While there is no denying that the ARR has a direct bearing on tariff, its effect on the tariff of the group of consumers the petitioner represents becomes relevant.

3. Although the petitioner would appear to have made a comprehensive study of the tariff petition filed by the CSEB as also the impugned tariff order passed by the Commission, he has not clearly brought out any error apparent on the face of the record on the basis of which alone a review application may be considered as per the specific provision of clause 33 of the Tariff Regulations. In fact, the pleas made for review of the tariff determined for LT industries and related issues also do not speak of any apparent

error in the order of this Commission. The issues raised by in the petition may constitute grounds for an appeal against the order of the Commission; but we do not consider these the basis on which the Commission should review its tariff order. A case under clause 33 of the Tariff Regulations is clearly not made out in the petition.

4. The Commission also noted that as a group the LT industries may have no grievance against the tariff fixed for them in the impugned tariff order. There is no increase in tariff for industrial consumers upto 100 HP as a group; there is in fact a reduction. There is some increase in case of industries with 100 to 150 HP loads, which is deliberate. The Commission would like these industries to switch over to HT connection in the interest of better management of supply. In fact, on an average basis for the whole group LT industrial consumers, the net incremental income of the CSEB as a result of tariff revision is in the negative (-4 Cr.).

5. Therefore, while the Commission appreciates the efforts made by the petitioner in compiling data which will perhaps help the Commission in future, the review petition is not tenable and hence is not admitted. The orders may be communicated to the petitioner.

**Sd/-
Member**

**Sd/-
Chairman**