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SERIES I No. 17

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 16 dated 15-7-2010 namely, Extraordinary dated 16-7-2009 from pages 555 to 556 regarding Amendments to Schedule 'C' and Schedule 'D' of the Goa Value Added Tax Act, 2005 – Nots. No. 4/5/2005–Fin (R&C) (81) and (82) from Department of Finance (Revenue & Control Division).

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GOVERNMENT OF GOA**Department of Elections**

Office of the Chief Electoral Officer

Order

5-57-2002/ELEC/4256

Sanction of the Government is hereby accorded for creation of one temporary post of Steno Grade-II (Group 'C') in PB-1 in pay scale of Rs. 5,200–20,200 with Grade Pay of Rs. 2,400/- in the Office of the Chief Electoral Officer, Altinho, Panaji-Goa with immediate effect.

The expenditure shall be debited to the Budget Head, Demand No. 06, 2015–Elections,

00–, 102–Electoral Officers, 01–Chief Electoral Officer, 01–Salaries(N.P.).

This issues with the approval of the cabinet taken in the XXXXIst meeting of Council of Ministers held on 29-6-2010 under Agenda item No. 6 and concurrence of Administrative Reforms Department and Finance (Revenue & Control) Department vide their U. O. No. 1262 dated 23-10-2009 and U. O. No. 1410425 dated 26-3-2010 respectively.

By order and in the name of the Governor of Goa.

Gonesh Koyu, IAS, Commissioner & Secretary/Chief Electoral Officer (Elections).

Panaji, 13th July, 2010.

Department of General Administration

Order

13/2/2010-GAD-III/1782

Sanction of Government is hereby accorded for creation of the following posts in the Secretariat, Porvorim on regular basis with immediate effect:—

Sr. No.	Nomenclature of the post	Pay Scale	No. of Posts
1.	Section Officer (Group 'B' Gazetted)	PB-2, 9300-34800 +GP Rs. 4600	1
2.	Senior Assistant	PB-2, 9300-34800 +GP Rs. 4200	1
3.	Junior Assistant	PB-1, 5200-20200 +GP Rs. 1900	1
4.	Peon	1S, Rs. 4,440-7440 +GP Rs. 1300	1

The expenditure shall be debited to the Budget Head "2052 – Secretariat General Services, 090 – Secretariat (Non-Plan), 01 – Department of Personnel & A. R., 01 – Salaries".

This issues with the approval of ARD vide its U. O. No. 1402058 dated 26-3-2010 and concurrence of Finance Department vide its U. O. No. 1402058 dated 7-5-2010.

By order and in the name of the
Governor of Goa.

Prabhakar V. Vaingankar, Under Secretary
(GA).

Porvorim, 19th July, 2010.

Department of Power

Office of the Chief Electrical Engineer

Notification

120/03/CEE/Tech

In exercise of the powers conferred under various sections of the Electricity Act, 2003 and all powers enabling therein on behalf of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories has notified the following Regulations in the Gazette of India:

Sr. No. of JERC	Notification, Number and date	Subject
1	2	3
10	JERC-06/2009 dated 18-12-2009	Standard of Performance
11	JERC-05/2009 dated 18-12-2009	Treatment of other Businesses of Transmission Licensees and Distribution Licensees
12	JERC-07/2009 dated 18-12-2009	State Advisory Committee
45	JERC-10/2009 dated 8-2-2010	Terms and conditions for determination of Tariff
47	JERC-08/2009 dated 11-2-2010	Appointment of Consul- tants
48	JERC-09/2009 dated 11-2-2010	Open Access in Trans- mission and Distribution

The above Notifications are hereby brought to the notice of the general public.

By order and in the name of the
Governor of Goa.

Nirmal Braganza, Chief Electrical Engineer
& ex officio Additional Secretary.

Panaji, 8th July, 2010.

JOINT ELECTRICITY REGULATORY COMMISSION

(for the State of Goa and Union Territories)

Notification

Gurgaon, the 18th December, 2009

No. JERC-06/2009.— In exercise of powers conferred under Section 181 read with Section 57 of the Electricity Act, 2003, and the Electricity (Removal of Difficulties) Order, 2005, and all powers enabling it in that behalf, Joint Electricity Regulatory Commission for the State of Goa and the Union Territories hereby makes the following Regulations:

1. *Short title, commencement, extent and interpretation.*— (1) These Regulations may be called Joint Electricity Regulatory Commission (Standards of Performance) Regulations, 2009.

(2) These Regulations shall be applicable to whole of the State of Goa and Union Territories of Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Puducherry and Lakshadweep.

(3) These Regulations shall come into force on the date of their publication in the Official Gazette.

(4) These Regulations shall be interpreted and implemented in accordance with, and not at variance from, the provisions of the Act read with the Electricity Rules, and any CEA regulations in this regard.

2. *Definitions.*— (1) In these Regulations, unless the context otherwise requires:—

(a) “Act” means the Electricity Act, 2003;

(b) “Billing cycle” means the period for which the bill is raised;

(c) “Breakdown” means an occurrence relating to the equipments of the distribution system of the licensee including electrical line up to the consumer meter that prevents its normal functioning;

(d) “CEA” means the Central Electricity Authority referred to in sub-section (1) of the Section 70 of the Act;

(e) “Commission” means the Joint Electricity Regulatory Commission for the State of Goa and Union Territories;

(f) “Electricity Rules” means the Indian Electricity Rules, 1956 to the extent saved by the Act or the rules made under the Electricity Act thereafter;

(g) “Electricity Supply Code” means the code as may be notified by the Commission under Section 50 of the Act;

(h) “Low Tension (LT)” means a voltage of 230 volts between phase and neutral or 400 volts between any two phases under normal conditions subject to the percentage variation permissible under the Electricity Rules;

(i) “Meter” means a device suitable for recording consumption of electrical energy supplied or any other parameter during any specified period and shall include, wherever applicable, other associated equipment such as CT, PT etc. Necessary for such recording;

It shall also include any seal or sealing arrangement provided by the Licensee for preventing unauthorised use of electricity;

(j) “Service Line” means an electric supply line through which energy is, or is intended to be supplied by the Licensee from a distributing main to a single consumer or group of consumers from the same point of the distributing main.

(2) Unless the context otherwise requires words or expressions occurring in these regulations and not defined herein but defined in the Act/Electricity Rules/shall bear the same meaning as respectively defined in the Act/Electricity Rules/or in absence thereof, the meaning as commonly understood in the Electricity Supply Industry.

3. *Guaranteed and Overall standards of performance.*— (1) The Standards specified in the Schedule-I to these Regulations shall be the Guaranteed Standards of Performance, being the minimum standards of service that a Licensee shall achieve, and the Standards specified in the Schedule-II shall be the Overall Standards of Performance which the Licensee shall seek to achieve in the discharge of his obligations as a Licensee.

(2) The Commission may from time to time add, alter, vary, modify or amend the contents of the Schedule-I and Schedule-II by general or special order(s).

4. *Compensation.*— (1) The Licensee shall be liable to pay to the affected consumers compensation specified in Schedule-III for Licensee's failure to meet the Guaranteed Standards of Performance specified in Schedule-I. The compensation shall be paid by the Licensee in the manner specified in Schedule-III.

(2) The Licensee shall pay the compensation referred to under sub-regulation (1) above by way of adjustment in the current or future electricity bill(s) as laid down in Schedule-III.

5. *Information on Standards of Performance.*— (1) For Guaranteed Standards, Licensee shall furnish to the Commission, in a report for every month and in a consolidated annual report, the following information:

(a) The levels of performance achieved by the Licensee with reference to the standards specified in Schedule-I to these regulations;

(b) The number of cases in which compensation were payable under Regulation (4) above, and the aggregate amount of the compensation payable and paid by the Licensee;

(c) The number of claims made by the consumer against the licensee for failure to meet the Guaranteed Standards of

Performance and the action taken by the Licensee including the reasons for the delay in payment, or non-payment of compensation for such claims; and

(d) The measures taken by the Licensee to improve performance in the areas covered by Guaranteed Standards and Licensee's targets of improved performance for the ensuing year.

(2) The monthly reports under sub-regulation (1) shall be furnished to the Commission within 15 days of the close of the month and the annual report under the sub-regulation (1) shall be furnished to the Commission within 30 days of the close of the financial year.

(3) The Licensee shall furnish to the Commission, in a report for every quarter and in a consolidated annual report for each financial year, the following information as to the:

(a) The level of performance achieved with reference to Overall Standards of Performance specified in Schedule-II of these regulations; and

(b) The measures taken by the licensee to improve performance in the areas covered by Overall Standards and licensee's targets of improved performance for the ensuing year.

(4) The quarterly reports under sub-regulation (3) shall be furnished to the Commission within 15 days of the close of the quarter and the annual report under the said sub-regulation (3) shall be furnished to the Commission within 30 days of the close of the financial year.

(5) The Commission shall, once a year, in the month of May, arrange for the publication of the information in the form of annual report furnished by the licensees under these regulations. It shall also make available monthly/quarterly information on demand and on payment of fee as specified; only pertaining to the current financial year.

6. *Exemption.*— (1) The standards of performance specified in these Regulations shall remain suspended during Force Majeure conditions such as war, mutiny, civil commotion, riot, flood, cyclone, lightning, earthquake, lockout, fire affecting the Licensee's installations.

(2) Non-compliance of a standard contained in these regulations shall not be treated as a violation, and the Licensee shall not be required to pay any compensation to affected consumer(s), if such violation is caused due to grid failure, a fault on the Transmission Licensee's network or on account of instructions given by SLDC, over which the Licensee has no reasonable control.

(3) The Consumer Grievances Redressal Forum (CGRF) established by the Licensee under Section 42(5) of the Act and the Regulations issued by the Commission in that behalf, may by a general or special order after hearing the Licensee and the affected consumer(s)/consumer groups, release the Licensee from the liability to compensate the consumers for any default in the performance of any standard if the CGRF is satisfied that such default is for reasons other than those attributable to the Licensee and further that the Licensee has otherwise made efforts to fulfill his obligations. Such cases shall be reported by CGRF to the Commission on monthly basis.

(4) The standards of performance shall be enforced within 6 months for Chandigarh, Dadar & Nagar Haveli, Daman & Diu, Goa and Puducherry and 12 months for Andaman & Nicobar and Lakshadweep from the date of publication of these regulations.

SCHEDULE – I

7. Guaranteed Standards of Performance

Nature of cause of power supply failure	Maximum Time Limit for restoration
1.1) Fuse blown out or MCB tripped	Within 4 hours for Urban areas Within 8 hours for Rural areas
1.2) Service line broken/ /Service line snapped from the pole	Within 6 hours for Urban areas Within 12 hours for Rural areas
1.3) Fault in distribution line/system	Rectification of fault and thereafter Restoration of normal power supply within 12 hours Temporary Supply to be restored within 4 hours from alternate source, wherever feasible
1.4) Distribution transformer failed/burnt	Replacement of failed transformer: Within 24 hours in Urban areas Within 48 hours in Rural areas Temporary Restoration of Supply through mobile transformer or another backup source within 8 hours, wherever feasible
1.5) HT mains failed	Rectification of fault within 12 hours Temporary restoration of power supply within 4 hours, wherever feasible
1.6) Problem in grid (33 KV or 66 KV) substation	Repair and restoration of supply within 48 hours Restoration of supply from alternate source, within 6 hours, wherever feasible Roaster load shedding may be carried out to avoid overloading of alternate source

Nature of cause of power supply failure	Maximum Time Limit for restoration
1.7) Failure of Power Transformer	Rectification action plan to be intimated to the Commission within 72 hours Rectification to be completed within the time frame approved by the Commission Restoration of supply from alternate source within 6 hours, wherever feasible Roster load shedding may be carried out to avoid overloading of alternate source

Note: Licensee shall make arrangements to provide alternate supply in his area of supply within 6 months from the completion of periods mentioned in regulation 6(4), and provision of words “wherever feasible” provided in 1.3 to 1.7 above shall cease to operate after this period.

7.2 Quality of Power Supply

7.2.1 Voltage variations:

- (1) The Licensee shall maintain the voltages at the point of commencement of supply to a consumer within the limits stipulated hereunder, with reference to declared voltage:
- In the case of Low Voltage, + 6% and – 6%;
 - In the case of High Voltage, + 6% and – 9%; and
 - In the case of Extra High Voltage, + 10% and –12.5%.
- (2) The voltage problem shall be resolved with the time limits specified in Table given below:

No.	Cause of problem related to voltage variation	Time limit for the rendering service
1.	Local problem	Within 4 hours
2.	Tap of transformer	Within 3 days
3.	Repair of distribution line/transformer/capacitor	LT system within 30 days HT system within 120 days Capacitor within 30 days
4.	Installation & Up-gradation of HT/LT System	Within 180 days

7.2.2 Harmonics

The distribution licensee shall follow the voltage and current Harmonics distribution limits as specified by the CEA in the Grid Connectivity Standards applicable to distribution systems.

7.3 Complaints about meters

Subject to the Provisions of the Electricity Supply Code:

Nature of complaint	Time to be taken by Licensee
Complaint lodged for accuracy test of meter	Within 30 days of receiving the Complaint, the Licensee shall test the meter and if needed, the meter shall be replaced within 15 days thereafter
Complaint lodged for defective/stuck meter	Within 30 days of receiving the Complaint, the Licensee shall check the meter and if needed, the meter shall be replaced within 15 days thereafter
Complaint lodged for burnt meter	The Licensee shall restore supply within 6 hours upon receipt of complaint bypassing the burnt meter and new meter shall be provided within 3 days

7.4 Transfer of Consumer's connection and conversion of services

The Licensee shall give effect to a request for transfer of consumer's connection, change of category and conversion of the existing services from Low Tension to High Tension and vice-versa within the following time limits:

Nature of request	Time to be taken by Licensee
Change of consumer's name due to change in ownership/occupancy for property	Change shall be effected in two billing cycles
Transfer of consumer's name to legal heir	Change shall be effected in two billing cycles
Load reduction	Licensee, after verification, shall sanction the reduced load within 30 days after receipt of the application
Change of category	Licensee shall inspect the premises and change the category within 10 days from the date of receipt of application
Shifting of meter/service line etc.	(1) One month for giving the estimated amount to the consumer for shifting (2) Within one month of the consumer depositing the estimated amount as mentioned above.

7.5 Complaints about consumer's bills

Nature of complaint	Time to be taken by Licensee
Complaints on billing	Licensee shall acknowledge the complaint immediately, if received in person, or within 3 days from the date of receipt if received by post. If no additional information is required, Licensee shall resolve the complaint and intimate the result to the consumer within 15 days of receipt of the complaint. In case any additional information is required, the same shall be obtained, the issue resolved and result intimated to the consumer within 15 days of the receipt of the additional information, whichever is later.

7.6 Issues relating to disconnection/reconnection of supply

Issue under consideration	Time to be taken by Licensee
Non payment of dues by the consumer	Licensee to give 15 days notice to pay the dues and if not paid, the Licensee may disconnect the consumer's installation on the expiry of the notice period
Request for reconnection	In case consumer requests for reconnection within a period of six months after disconnection, the Licensee shall reconnect the consumer's installation within 5 days of payment of past dues and reconnection charges

Issue under consideration	Time to be taken by Licensee
Consumer wanting upto date bill	<p>However in case consumer requests for reconnection after six months of disconnection, the connections would be reconnected only after all the formalities as required in the case of a new connection are complied with by the consumer including payment of pending dues, service line charges, security deposit etc., as applicable, for that Category of Consumer</p> <p>Licensee to carry out special reading and prepare final bill, including all arrears upto the date of billing within 7 days.</p>

7.7 The time limits prescribed in this Schedule will be computed from the time when the complaint is filed with the designated offices of the licensee or at the call centers.

SCHEDULE-II

8. *Overall Standards of Performance.* — (1) *Normal fuse-off calls:* The Licensee shall maintain the percentage of fuseoff calls rectified within the time limits prescribed under sub-paragraph 1.1 of Schedule-I to total calls received at not less than 99%.

(2) *Line Breakdowns:* The Licensee shall ensure restoration of power supply within the time limits prescribed in sub-paragraph 1.3 of Schedule-I. The Licensee shall achieve this standard of performance in at least 95% of the cases.

(3) *Distribution Transformer Failures:* The Licensee shall maintain the percentage of distribution transformers replaced within the time limits prescribed in sub-paragraph 1.4 of Schedule-I to the total distribution transformers failed at not less than 95%.

(4) *Period of scheduled outages:* Interruption in power supply due to scheduled outages, other than the load-shedding, has to be notified in advance and shall not exceed 12 hours in a day and in each such event, the Licensee has to ensure that the supply is restored by 6:00 p.m. The Licensee shall achieve both of these standards of performance in at least 95% of the cases.

(5) *Reliability Indices:* The following reliability/outage indices are prescribed by the Institute of Electrical and Electronics Engineers (IEEE) Standard 1366 of 1998. The Licensee shall compute and report the value of these indices to the Commission from 2009-10 onwards:

(a) *System Average Interruption Frequency Index (SAIFI):* The Licensee shall calculate the value as per the formula and methodology specified below.

(b) *System Average Interruption Duration Index (SAIDI):* The Licensee shall calculate the value as per the formula and methodology specified below.

(c) *Momentary Average Interruption Frequency Index (MAIFI):* The Licensee shall calculate the value as per the formula and methodology specified below.

(6) *Method to compute Distribution System Reliability Indices:* The Indices shall be computed by stacking, for each month all the 11KV/33KV feeders in the Licensee's area of supply, and then aggregating the number and duration of all interruptions in that month for each feeder. The Indices would then be computed using the following formulae:

$$1. \text{SAIFI} = \frac{\sum_{i=1}^n (A_i * N_i)}{N_t}$$

Where,

A_i = Total number of sustained interruptions (each longer than 5 minutes) on i th feeder for the month

N_i = Connected load of i th feeder affected due to each interruption

N_t = Total connected load at 11 KV in the Licensee's area of supply

n = number of 11KV feeders in the licensed area of supply

$$2. \text{ SAIDI} = \frac{\sum_{i=1}^n (B_i * N_i)}{N_t}$$

Where,

B_i = Total duration of all sustained interruptions on i th feeder for the month.

N_i = Connected load of i th feeder affected due to each interruption

N_t = Total connected load at 11 KV in the Licensee's area of supply

n = number of 11KV feeders in the licensed area of supply

$$3. \text{ MAIFI} = \frac{\sum_{i=1}^n (C_i * N_i)}{N_t}$$

Where,

C_i = Total number of momentary interruptions (each less than or equal to 5 minutes) on i th feeder for the month

N_i = Connected load of i th feeder affected due to each interruption

N_t = Total connected load at 11 KV in the Licensee's area of supply

n = number of 11KV feeders in the licensed area of supply

Note: The feeders must be segregated into rural and urban and the value of the indices must be reported separately for each month.

4. *The Licensee shall propose the target level of these indices annually while submitting ARR.—* The Commission would thereafter notify these indices.

(7) *Voltage Unbalance:* The Licensee shall ensure that the voltage unbalance does not exceed 3% at the point of commencement of supply. Voltage Unbalance (VU) shall be computed in the following manner:

$$\text{Voltage Unbalance} = (V_H - V_L) / V_H$$

Where V_H and V_L are highest and lowest phase Voltages for LT system or highest and lowest phase Voltages for HT & EHT systems.

(8) *Billing mistakes:* The Licensee shall maintain the percentage of bills requiring modifications following complaints to the total number of bills issued, not greater than 10% for year 2009-10, 5% for year 2010-11, 2% for year 2011-12 and 1% for 2012-13 and thereafter.

(9) *Faulty meters:* The Licensee shall maintain the percentage of defective meters to the total number of meters in service, not greater than 3%.

(10) *Minimise electrical accidents:* Increase or decrease in No. of electrical accidents compared over a period of time will also be an indicator of the Licensee's performance.

(11) *The Summary of Overall performance standards is as follows:*

Service area	Overall Standard of Performance
Normal fuse-off calls	At least 99% calls received should be rectified within prescribed time limits in both Cities and Towns and in Rural areas

Service area	Overall Standard of Performance
Line Breakdowns	At least 95% of cases resolved within time limit in both Cities and Towns and in Rural areas
Distribution Transformer(DTR) failure	At least 95% of DTRs to be replaced within prescribed time limits in both Cities and Towns and in Rural areas
Period of scheduled outage	Maximum duration in a single stretch Restoration of supply by 6.00 p.m. At least 95% of cases resolves within time limit
Continuity Indices SAIDI SAIFI MAIFI	To be laid down by the Commission based on the targets proposed by the Licensees
Frequency variations Voltage Unbalance	To maintain supply frequency within range as per IEGC. Maximum of 3% at point of commencement of supply
Percentage billing mistakes	Not exceeding 10% for year 2009-10, 5% for year 2010-11, 2% for year 2011-12 and 1% for 2012-13 and thereafter
Percentage faulty meters	Not exceeding 3%.

SCHEDULE III

9. Guaranteed Standards of Performance and Compensation to Consumers in Case of Default

Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
		Compensation payable to individual consumer if the event affects a single consumer	Compensation payable to individual consumer if the event affects more than one consumer

I. Billing

First Bill	Within 2 billing cycles	10% of the billed amount subject to maximum of Rs.250/-	
In case bills are raised even after disconnection on consumer's request		Rs. 250/- for each case	Not Applicable

II. Transfer of consumer's connection and conversion of services

Change of consumer's name due to change in ownership/occupancy for property	Within 2 billing cycles of acceptance of application		
Transfer of consumer's name to legal heir	Within 2 billing cycles of acceptance of application	Rs. 50 for each day of default	Not Applicable
Load reduction	30 days after receipt of the application		
Change of category	Within 10 days of acceptance of application		

III. Disconnection/Reconnection of supply

Consumer wanting up to date bill	Licensee to carry out special reading and prepare final bill, including all arrears up to the date of billing within 7 days		
Request for reconnection	In case consumer requests for reconnection within a period of six months after is connection, the Licensee shall reconnect the consumer's installation within 7 days of payment of past dues and reconnection charges.	Rs. 50 for each day of default	

IV. Meter complaints

Testing of meter	within 30 days of receipt of complaint	Rs. 25 for each day of default	Not applicable
Replacement of burnt meter	Within 6 hours restoration of supply by bypassing the burnt meter. Meter to be replaced within 3 days	Rs. 50 for each day of default	Not applicable
Replacement of defective meter	Within 15 days of declaring meter defective	Rs. 50 for each day of default	Not applicable

V. Power supply failure

Fuse blown out or MCB Tripped (in case fuse or MCB belongs to Licensee i.e. pole or feeder pillar fuse)	Within 4 hours for Urban areas Within 8 hours for Rural areas	Rs. 10 for each hour of default	Rs. 5 for each hour of default to each consumer affected
Service line broken Service line snapped from the pole	Within 6 hours for Urban areas Within 12 hours for Rural areas		
Fault in distribution line/system	Rectification of fault and thereafter Restoration of normal power supply within 12 hours		
Distribution transformer failed/burnt	Replacement of failed transformer within 48 hours	Rs. 100 for each day of default	Rs. 50 for each day of default to each consumer affected
HT mains failed	Rectification of fault within 12 hours	Rs. 200 for each day of default	Rs. 100 for each day of default to each consumer affected
Problem in grid (33 KV or 66 KV) substation	Repair and restoration of supply within 48 hours		
Failure of Power Transformer	Rectification to be completed within 15 days	Rs. 500 for each day of default per day	Rs. 250 for each day of default to each consumer affected

VI. Voltage fluctuation

Local problem Tap of transformer	Within 4 hours Within 3 days	Rs. 50 for each day of default	Rs. 25 for each day of default to each consu- mer affected
Repair of distribution line/transformer/capacitor	Within 30 days	} Rs. 100 for each day of default	Rs. 50 for each day of default to each consumer affected
Installation & Up-gradation of HT/LT System	Within 90 days		
Damage to consumer's apparatus due to Voltage fluctuations	Immediate	Repair charges subject to a maxi- mum of Rs. 500/- per apparatus	
VII. Complaints/Applications under sub-regulation 7.4 above.	As mentioned in sub-regulation 7.4 above	Rs. 100 for each day of default.	

10. *Manner of payment of compensation amount.*— (1) The Licensee shall register every complaint of a consumer regarding failure of power supply, quality of power supply, meters, bills etc., at their designated office(s) which should be within easy reach of the consumer and intimate the complaint number to the consumer.

(2) The Licensee shall maintain consumer-wise records regarding the Guaranteed standards of performance in order to give a fair treatment to all consumers and avoid any dispute regarding violation of standard.

(3) All payments of compensation shall be made by way of adjustment against current and/or future bills for supply of electricity, but by not later than 90 days from the date of violation of a Guaranteed Standard unless demanded by the consumer as a direct payment. If the Licensee, however, fails to dispense the compensation amount as laid down in Regulation (9) above the aggrieved consumer(s) can approach the respective Consumer Grievance Redressal Forum for redressal of grievances of consumers to seek such compensation. In such event, additional penalty may be levied on licensee for not faithfully implementing the regulations on case-to-case basis.

J. S. SEHTAWAT, Secy,
[ADVT III/4/Exty./218-I/09]

Notification

Gurgaon, the 18th December, 2009

No. JERC-05/2009.— In exercise of powers conferred by Section 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories hereby makes the following Regulations, namely:—

1. *Short title, extent and commencement.*— (i) These Regulations may be called the Joint Electricity Regulatory Commission for Goa & Union Territories (Treatment of Other Businesses of Transmission Licensees and Distribution Licensees) Regulations, 2009.

(ii) These Regulations shall be applicable to all intra-State/UT Transmission Licensees and the Distribution Licensees in the State of Goa and the Union Territories of Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Puducherry and Lakshadweep.

(iii) These Regulations shall come into force on the date of their publication in the Official Gazette.

2. *Definitions and Interpretation.*— (i) In these Regulations, unless the context otherwise requires:—

(a) “Act” means the Electricity Act, 2003 (36 of 2003);

(b) “Commission” means the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories, constituted by the Central Government under sub-section (5) of Section 83 of the Act;

(c) “Licence” means a licence granted under Section 14 of the Act by the Commission to undertake, Transmission or Distribution of Electricity.

(d) “Licensed Business” shall mean the function and activities the Licensee is required to undertake in terms of the Licence granted, or as a deemed Licensee, under the Act.

(e) “Licensee” means a person who has been granted a licence under Section 14 of the Act by the Commission to undertake, Transmission or Distribution of Electricity and includes a deemed licensee.

(f) “Other Business” means any business by the Licensee other than the Licensed Business: Undertake for optimum utilization of its assets.

(ii) Words and expressions used herein and not specifically defined herein but defined in the Act shall have the meanings respectively assigned to them under the Act.

3. *Intimation of other business.*— (1) In the event a Licensee engages in any other business for optimum utilization of the assets, he shall give prior intimation in writing to the Commission of such Other Business, along with, *inter-alia*, the following details:

(a) the nature of the Other Business;

(b) the proposed capital investment in the Other Business;

(c) the impact of the use of assets and facilities of the Licensed Business for the Other Business;

(d) the manner in which the assets and facilities of the Licensed Business and of the Other Business shall be used, demonstrating that there would be no adverse impact on the Licensed Business and on the ability of the Licensee to carry out the duties and obligations of the Licensed Business; and

(e) a proposal for sharing the revenue derived from the Other Business with the Licensed Business, in the manner envisaged in Regulation 5(3); the proposal

should include the methodology used for arriving at the proposed sharing, supported by business plan of the Other Business (including expected annual revenues for the next five years):

Provided that a Transmission licensee shall not engage in the business of trading in electricity.

(2) The Licensee shall have the absolute responsibility to ensure that the utilization of the assets and facilities of the Licensed Business for Other Business shall not in any manner affect the performance of the obligations under the Licensed Business or the quality of service required from the Licensee, and any such utilization shall be entirely at the cost and risk of the Licensee.

(3) Failure to submit prior intimation in writing to the Commission will invite a penalty which may extend up to the annual revenue of the Other Business.

4. *Accounts.*— (1) The Licensee shall for each of the Other Business:

(a) maintain separate accounting records, such as amount of revenue, costs, assets, liabilities, reserves, or provisions which have been charged from or to the Other Business. He shall maintain a description of the basis for the charge or its determination by apportionment or allocation between the various business activities;

(b) prepare on a consistent basis from such records accounting statements for each financial year comprising a profit and loss account, a balance sheet and a statement of sources and application of funds;

(c) provide in respect of the accounting statements so prepared, a report by the Auditors in respect of each financial year, stating whether in their opinion the statements have been properly prepared and give a true and fair view of the revenue,

costs, assets, liabilities, reserves and provisions reasonably attributable to the business to which the statements relate;

(d) submit copies of the accounting statements and Auditor's report thereon not later than six months after the close of the financial year to which they relate; and

(e) submit to the Commission such additional information that the Commission may require from time to time.

(2) The Licensee shall ensure and, if so required by the Commission, establish to the satisfaction of the Commission that the Other Business bears an appropriate share of overhead costs and other common costs.

(3) Any person authorized by the Commission shall be entitled to inspect and verify the accounts of the Licensee and the licensee shall render all necessary assistance to such person.

5. *Financial implications.*— (1) The Licensee shall not in any manner utilize the assets and facilities of the Licensed Business or otherwise directly or indirectly allow the Other Business to be undertaken in a manner that the Licensed Business results in subsidising the Other Business.

(2) The Licensee shall not in any manner, directly or indirectly encumber the assets and facilities of the Licensed Business for the Other Business or for any activities other than the Licensed Business.

(3) The Other Business shall pay to the Licensed Business a reasonable proportion of the revenues of the Other Business, subject to a minimum amount which may reflect the allocable costs or market value of the assets and facilities of the Licensed Business utilised/being utilised for Other Business.

(4) The Commission will determine the reasonable proportion of revenues of the Other Business and the minimum amount to be paid to the Licensed Business, on a

case-to-case basis, as and when a licensee informs the Commission about his intention of utilizing the assets and facilities for use for any Other Business. In deciding the amount to be paid by the Other Business, the Commission will consider the submissions of the Licensee, but may use any alternate approach or methodology that it considers appropriate:

Provided that as and if deemed appropriate by it, the Commission may determine the reasonable proportion of revenues, etc. to be paid to the Licensed Business in respect of a class of Other Businesses as a whole, instead of on a case-to-case basis.

(5) The proportion of revenues or the minimum amount to be shared from the Other Businesses under sub-regulation (4) above shall be the income of the Licensed Business of the Licensee and shall be utilized for reducing the charges of transmission or wheeling, as the case may be, of electricity by the Licensee.

6. *Powers of the Commission.*— (1) The Commission may at any time direct investigation of the assets and facilities of the Licensed Business for the Other Business of the Licensee with a view to ascertaining adherence to these Regulations, covering *inter alia*:

(a) whether the costs and expenses are being appropriately adjusted and paid as specified in regulation 5 above; and

(b) whether the revenues of the Other Business are properly accounted for to determine the gross turnover and the amounts payable to the Licensed Business.

(2) The Commission may authorize any officer of the Commission or any professional person or expert or consultant to carry out the investigation under sub-regulation (1) above and submit a report to the Commission.

7. *Issue of orders and practice directions.*— Subject to the provisions of the Electricity Act,

2003 and these Regulations, the Commission may, from time to time, issue orders and practice directions in regard to the implementation of these Regulations and procedure to be followed, and various matters which the Commission has been empowered by these Regulations to direct, and matters incidental or ancillary thereto.

8. *Power to amend.*— The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of these Regulations.

J. S. SEHRAWAT, Secy.
[No. ADVT. III/4/Exty./218-I/09]

Notification

Gurgaon, the 18th December, 2009

No. JERC-07/2009.— In exercise of the powers conferred on it by Section 181 read with Section 87 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in that behalf, the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories, hereby makes the following Regulations:

1. *Short title, commencement and interpretation.*— (1) These Regulations shall be called the Joint Electricity Regulatory Commission (State Advisory Committee) Regulations, 2009.

(2) These Regulations shall come into force on the date of their publication in the Official Gazette.

(3) These Regulations shall extend to the whole of the State of Goa and Union Territories of Andaman & Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Lakshadweep and Puducherry.

2. *Definitions.*— (1) In these Regulations, unless the context otherwise requires:—

(a) "Act" means the Electricity Act, 2003 (36 of 2003);

(b) "Commission" means the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories;

(c) "Committee" means the State Advisory Committee constituted in accordance with the provisions of Section 87 of the Act.

2. Words and expressions used and not defined herein shall have the same meaning as assigned to them in the Act.

3. *Term of office of the Members of the Committee.*— Every Member of the Committee, except the Chairperson and the Member of the Commission shall hold office for a period of two years unless his appointment is terminated earlier in the manner described in these Regulations. On the expiration of the term of any Member, the Commission may in its discretion re-appoint him as such Member.

4. *Objects of the State Advisory Committee.*— The objects of the States Advisory Committee shall be to advise the Commission on—

(i) Major question of policy;

(ii) Matters relating to quality, continuity and extent of service provided by the licensees;

(iii) Compliance by licensees with the conditions and requirements of their license;

(iv) Protection of consumer interest; and

(v) Electricity supply and overall standards of performance by utilities.

5. *Secretary of the Committee.*— The Secretary of the Commission shall be the Secretary to the Committee. He shall not be eligible for any extra remuneration on account of this additional work.

6. *Notice of meeting.*— (1) Meetings of the Committee shall be convened by its Secretary under the direction of Chairperson of the Committee, at least once in three months. The Secretary shall, ordinarily, give the members of the Committee, not less than 10 days' notice, in writing, of the date, time and place of the meeting. Ordinarily, not less than seven days before the meeting, the Secretary shall send to such members, copies of the Agenda of the meeting.

(2) A Member other than the ex officio Member, who fails to attend three consecutive meetings of the Committee shall forthwith cease to be a Member of the Committee.

7. *Chairperson at the meeting.*— The Chairperson of the Commission shall preside over a meeting of the Committee as its Chairperson:

Provided that when the Chairperson has been prevented from attending the meeting of the Committee, of which he has been given due notice, the Member of the Commission, present, shall preside over that meeting, as Chairperson of the meeting.

8. *Stay and travelling arrangements for the Members of the Committee.*— (1) The stay and travelling arrangements for the members of the Committee for attending the meetings of the Committee shall be made by the Commission.

(2) Members of the Committee other than Government servants shall be paid an honorarium at a rate as may be decided by the Commission from time to time.

(3) A member of the Committee, who is a Government servant, shall be entitled to draw travelling allowance, including daily allowance, on the scale admissible to him under the Travelling Allowance Rules of the Government with which he is employed.

9. *Proceedings.*— (1) The proceedings of every meeting of the Committee shall be

prepared by its Secretary and shall be approved by the Chairperson of the meeting.

(2) The agenda for the meetings of the Committee shall broadly be in accordance with the subjects on which the Committee is required to be consulted under the Act.

(3) No matter other than that included in the Agenda shall be considered or discussed at a meeting of the Committee except with the special permission of the Chairperson of the meeting.

(4) Attendance by proxy shall not be permitted at the meetings of the State Advisory Committee.

10. *Quorum and Adjourned Meeting.*— (1) Minimum seven members of the Advisory Committee including the ex officio Members shall constitute Quorum at a meeting of the Committee. If there is no Quorum within thirty minutes of the appointed time for the meeting, no meeting shall be held and the Chairperson of the meeting may then and there adjourn the meeting to such future date, as may be directed by him. No further notice need be given for a meeting so adjourned.

(2) If at any time during the progress of the meeting, after its commencement, there ceases to be Quorum, the meeting shall ignore the want of Quorum and shall continue to transact its business.

(3) No matter shall be considered at a meeting adjourned under sub-regulation (1) above other than matters scheduled at the meeting from which the adjournment took place, provided that the Chairperson of the meeting may bring or permit or direct a new matter, which in his view is urgent, to be brought before the adjourned meeting, with or without notice.

11. *Point of order.*— Any point of order raised at meeting shall be decided by the Chairperson presiding at the meeting and his decision shall be final.

12. *Resignation of Member.*— A member of the Committee, other than an ex officio

member may, by a written notice to the Secretary of the Commission resign from his office and it shall come into effect from the day the Chairperson of the Commission accepts the same.

13. *Removal of Member.*— (1) The Commission may remove any member, other than an ex officio member, who:

(a) Has been adjudged as insolvent; or

(b) Has been convicted of an offence involving moral turpitude; or

(c) Has become physically or mentally incapable of acting as a member; or

(d) Has conducted himself in a manner or has so abused his position as to render his continuance as a member prejudicial to public interest or to the objects and purpose of the Act.

(2) The member who is proposed to be removed under sub-regulation (1) above shall be given an opportunity to represent his position to the Chairperson of the Commission.

14. *Savings as to Validity of Proceedings.*— No proceeding of the Committee shall be invalidated by reason merely of a vacancy or vacancies existing in the Committee or by reason of non-receipt of the notice or copy of the Agenda, provided it was duly issued, or by reason of any irregularity in conduct of the business of the meeting.

Explanation.— A notice will be deemed to have been duly issued if it is dispatched within the prescribed time to the registered address of the member by post or by messenger.

15. *Invitation to Persons other than Members to Attend.*— To assist the Committee in its deliberations, persons other than Members of the Committee, having special or useful knowledge on a matter of interest

to the Committee may be invited by the Chairperson of the Committee to attend any meeting thereof.

16. *Consultation.*— The Commission while deciding issues on which the views of the Committee have been obtained may consider them into account.

17. *General.*— In cases not expressly provided for in these Regulations for conduct of meetings, the decision of the Chairperson presiding at a meeting on matters relating to the conduct of the meeting shall be final.

18. *Miscellaneous.*— (1) The Commission may at any time, add, vary, alter, modify or amend any of the provisions of these Regulations.

(2) If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or specific order, do or undertake or permit the Committee to do or undertake things, which in the opinion of the Commission are necessary or expedient to remove the difficulty.

J. S. SEHRAWAT, Secy.
[ADVT III/4/Exty./218-I/2009]

Notification

Gurgaon, the 8th February, 2010

No. JERC-10/2009.— In exercise of powers conferred on it under Section 61 read with Section 181 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, the Joint State Electricity Regulatory Commission for the State of Goa and Union Territories hereby makes the following regulations, laying down Terms and Conditions for Determination of Tariff, namely:

CHAPTER I

Preliminary

1. *Short title, commencement and extent.*— (1) These Regulations shall be called the Joint

Electricity Regulatory Commission for the State of Goa and Union Territories (Terms and Conditions for Determination of Tariff) Regulations, 2009.

(2) These Regulations shall come into force from the date of their publication in the Official Gazette.

(3) These Regulations shall extend to the whole of the State of Goa and the Union Territories of Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Lakshadweep and Puducherry.

2. *Definitions.*— In these regulations, unless the context otherwise requires:—

(1) “Act” means the Electricity Act, 2003 (36 of 2003);

(2) “Bank rate” means the bank rate of Reserve Bank of India;

(3) “Combined average unit cost of supply” means the total revenue requirement for the year adjusted by the revenue gaps of the previous years, divided by the total energy sale during the year.

(4) “Commission” means the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories of Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu Lakshadweep and Puducherry constituted by the Central Government under sub-section (5) of Section 83 of the Act;

(5) “Conduct of Business Regulations” means the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Conduct of Business) Regulations, 2009;

(6) “Current Year” means the year in which the Aggregate Revenue Requirement petition or petition for determination of tariff is to be filed;

(7) “Ensuing Year” shall mean the year immediately following the current year;

(8) “Force Majeure Event” means event beyond the reasonable control of the generating company or the licensee, including, but not limited to earthquake, cyclone, flood, storm, war, terrorist attack, civil commotion or other similar occurrence that lead to any act that would involve a breach of relevant laws or Regulations;

(9) “Integrated Utility” means the Department of Power in the State of Goa and the Union Territories of Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Lakshadweep and Puducherry, in its present form or the successor entities performing more than one of the functions of generation, transmission and distribution after restructuring thereof;

(10) “Open Access Customer” means (a) a consumer permitted by the Commission to receive supply of electricity from a person other than distribution licensee of his area of supply, or (b) a generating company (including captive generating plant) or (c) a licensee, who has availed or intends to avail of Open Access in accordance with the regulations as may be notified by the Commission for grant of open access to the transmission lines and the distribution system of a licensee;

(11) “Open Access Regulations” means the regulations as may be specified by the Commission for grant of open access to the transmission lines and the distribution system of a licensee;

(12) “Other Business Regulations” means the Joint Electricity Regulatory Commission for Goa & Union Territories (Treatment of Other Businesses of Transmission Licensees and Distribution Licensees) Regulations, 2009. “Previous Year” means the year immediately preceding the current year;

(13) “State” means the State of Goa, and the Union Territories of Andaman and Nicobar

Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Lakshadweep and Puducherry;

(14) “Tariff” means the schedule of charges for generation, transmission, and distribution of electricity determined by the Commission from time to time;

(15) “Year” mean financial year ending on 31st March.

(2) Words or expressions occurring in these Regulations and not expressly defined herein shall bear the same meaning as respectively assigned to them in the Act.

CHAPTER II

General Guiding Factors for Determination of Tariff

3. *Tariff Determination.*— (1) The Commission, while determining the tariff shall be guided by the principles contained in Section 61 of the Act, namely:—

(a) The principles and methodologies specified by the Central Commission for determination of the tariff applicable to generating companies and transmission licensees;

(b) The generation, transmission, distribution and supply of electricity are conducted on commercial principles;

(c) The factors which would encourage competition, efficiency, economical use of the resources, good performance and optimum investments;

(d) Safeguarding of consumers interest and at the same time, recovery of the cost of electricity in a reasonable manner;

(e) The principles rewarding efficiency in performance;

(f) Multi year tariff principles;

(g) That the tariff progressively reflects the cost of supply of electricity and also,

reduces and eliminates cross-subsidies within the period to be specified by the Appropriate Commission;

(h) The promotion of co-generation and generation of electricity from renewable sources of energy;

(i) The National Electricity Policy and Tariff Policy;

(2) The Commission shall subject to the provisions of sub-regulation (23), determine the tariff in accordance with the provisions of the Act, the Rules made thereunder and these regulations, *inter alia*, for—

(a) Supply of electricity by a generating company to a distribution licensee:

Provided that the Commission may, in case of shortage of supply of electricity, fix the minimum and maximum ceiling of tariff for sale or purchase of electricity in pursuance of an agreement, entered into between a generating company and a licensee or between the licensees, for a period not exceeding one year to ensure reasonable prices of electricity;

(b) Transmission of electricity;

(c) Wheeling of electricity;

(d) Retail sale of electricity:

Provided that in case of distribution of electricity in the same area by two or more distribution licensees, the Commission may, for promoting competition among distribution licensees, fix only maximum ceiling of tariff.

(3) In case it is not possible or practicable to determine tariff separately for (a) to (c) above, the Commission may fix combined tariff for more than one of these activities as per requirement.

(4) Where the tariff has been determined through transparent process of bidding in

accordance with the guidelines issued by the Central Government, the Commission shall adopt such tariff as laid down under Section 63 of the Act.

(5) Where the Commission has allowed Open Access to certain persons under Section 42 of the Act, such persons, notwithstanding the provisions of clause (d) of sub-section (1) of Section 62 of the Act, may enter into an agreement with any person for supply/ /purchase of electricity for this purpose on such terms and conditions (including tariff) as may be agreed upon by them, subject to the payment of various Open Access charges as determined by the Commission in accordance with Open Access Regulations.

(6) The Commission while determining the tariff, shall not show undue preference to any consumer of electricity, but may differentiate according to the consumers load factor, power factor, voltage, total consumption of electricity during any specified period or the time at which the supply is required or the geographical position of any area, the nature of supply and the purpose for which the supply is required.

(7) If the appropriate Government requires the grant of any subsidy to any consumer or class of consumers in the tariff determined by the Commission, the State Government shall, notwithstanding any direction which may be given under Section 109 of the Act, pay, in advance and in such manner as may be specified, the amount to compensate the person affected by the grant of subsidy in the manner the Commission may direct, as a condition for the licensee or any other person concerned to implement the subsidy provided for by the appropriate Government:

Provided that no such direction of the State Government shall be operative if the payment is not made in accordance with the provisions contained in this Regulation and the tariff fixed by the Commission shall be applicable from the date decided as per the tariff order issued by the Commission in this regard.

4. *Periodicity of Tariff Determination.*— No tariff or part of any tariff may ordinarily be amended, more frequently than once in any year, except in respect of any changes expressly permitted under the terms of the fuel surcharge formula specified by the Commission.

5. *Charging of Permissible Tariff.*— (1) Subject to the provisions of regulation 3 (4) and 3 (5), no generating company or licensee shall, without prior approval of the Commission, charge any tariff:

Provided that the existing tariff being charged by the generating company or the licensee shall continue to be charged even after the date of commencement of these Regulations, till such time the tariff is revised by the Commission.

(2) The generating company or the licensee shall not charge a tariff in excess of the tariff determined by the Commission and if any generating company or licensee recovers a price or charge exceeding the tariff determined by the Commission, the excess amount shall be recoverable by the person who has paid such price or charge along with interest equivalent to the bank rate without prejudice to any other liability incurred by the generating company or the licensee.

6. *Cross-Subsidy.*— (1) “Cross-subsidy for a consumer category” in the first phase (as defined in sub-regulation 2 below) means the difference between the average realization per unit from that category and the combined average cost of supply per unit expressed in percentage terms as a proportion of the combined average cost of supply. In the second phase (as defined in sub-regulation 2 below) means the difference between the average realization per unit from that category and the combined per unit cost of supply for that category expressed in percentage terms as a proportion of the combined cost of supply of that category.

(2) The Commission shall determine the

tariff to progressively reflect the cost of supply of electricity and also reduce cross subsidies within a reasonable period. To this purpose, in the first phase the Commission shall determine tariff so that it progressively reflects combined average unit cost of supply in accordance with National Tariff Policy. In the second phase, the Commission shall consider moving towards the category-wise cost of supply as a basis for determination of tariff.

7. *Fuel Surcharge Formula.*— (1) The fuel cost revisions for the generating companies/units owned by the licensee that are due to reasons beyond the control of the generating companies/the licensee be in accordance with the fuel surcharge formula as may be decided by the Commission from time to time.

(2) The generating company or the licensee may determine such charge in accordance with the specified formula and recover the same from such categories of consumers or the licensees, as the case may be after following procedure and the terms and conditions attached thereto.

8. *Review and Truing Up.*— (1) The Commission shall undertake a review along with the next Tariff Order of the expenses and revenues approved by the Commission in the Tariff Order. While doing so, the Commission shall consider variations between approvals and revised estimates/pre-actuals of sale of electricity, income and expenditure for the relevant year and permit necessary adjustments/changes in case such variations are for adequate and justifiable reasons. Such an exercise shall be called ‘Review’.

(2) (i) After audited accounts of a year are made available, the Commission shall undertake similar exercise as above with reference to the final actual figures as per the audited accounts. This exercise with reference to audited accounts shall be called ‘Truing Up’.

(ii) The Truing Up for any year will ordinarily not be considered after more than one year of ‘Review’.

(3) The revenue gap of the ensuing year shall be adjusted as a result of review and truing up exercises.

(4) While approving such expenses/revenues to be adjusted in the future years as arising out of the Review and/or Truing up exercises, the Commission may allow the carrying costs as determined by the Commission of such expenses/revenues. Carrying costs shall be limited to the interest rate approved for working capital borrowings.

(5) For any revision in approvals, the licensee would be required to satisfy the Commission that the revision is necessary due to conditions beyond its control.

(6) In case additional supply is required to be made to any particular category, the licensee may, any time during the year make an application to the Commission for its approval. The application will demonstrate the need for such change of consumer mix and additional supply of power and also indicate the manner in which the licensee proposes to meet the cost for such change of consumer mix and additional supply of power.

(7) The Commission may consider granting approval to such proposals provided the cost of additional supply is ordinarily met by the beneficiary category.

9. *Excess or Under Recovery with Respect to Norms and Targets.*— (1) The generating company or the licensee, as the case may be, shall pass on to the consumers, the 70% of the gain arising from over achievement of the norms laid down by the Commission in these Regulations or targets set by the Commission from time to time and retaining balance 30% with themselves.

(2) The generating company or the licensee, as the case may be, shall bear the entire loss on account of its failure to achieve the norms laid down by the Commission or targets set by the Commission from time to time.

10. *Regulatory Asset.*— Only in extraordinary circumstances, the Commission may allow creation of Regulatory Asset in case the Revenue Gap is very substantial and is on account of one time factors beyond control of the generating company or the licensee and its full recovery in a single year will result in tariff shock for the consumers.

The Regulatory Assets so created along with carrying cost shall be liquidated in maximum 3 years period immediately following the year in which it is created.

11. *Multi-Year Tariff.*— (1) The Commission may adopt multi-year tariff principles for matters relating to calculation of revenue requirements and tariff determination of the generating companies and the licensees including the extent of investments, reduction of loss levels, other efficiency gains, revision in charges, changes in tariff structure, and such other matters as the Commission may by a general or special order direct.

(2) The Commission may, as and when it considers appropriate, issue guidelines for filing of Revenue Requirement and Tariff Proposals for a period of more than a single financial year and unless waived by the Commission, the generating company and the licensee shall follow such guidelines issued by the Commission.

CHAPTER III

Tariff Application

12. *Filing.*— (1) Each generating company and the licensee shall file Tariff Application on or before 30th November each year with the Commission, in the format as may be laid down by the Commission which shall include statements containing calculation of the expected aggregate revenue from charges under its currently approved tariff and the expected cost of providing services i.e. Aggregate Revenue Requirement (ARR) during the Previous Year, Current Year and Ensuing Year. The information for the Previous Year should be based on audited accounts, if available.

The Tariff Application shall also contain tariff proposals so as to fully cover the gap between the expected aggregate revenue at the prevalent tariff and the expected cost of services including schemes for reduction in loss levels and other efficiency gains to be achieved.

A set of preformae in which the integrated utility has to file Tariff Application is enclosed (Information to be furnished in Formats 1 to 28). Generating companies shall furnish information in respect of their generating stations in the Generating formats 1G to 12G.

(2) In case a generating company or the licensee does not submit the Tariff Application within the time allowed by the Commission, the Commission may consider taking up the matter *suo motu*.

(3) In case a licensee carries on any business other than the licensed business, the statements referred to in sub-regulation (1) above shall be given separately for each business of the licensee and in such manner as the Commission may direct.

(4) The applications under this Regulation shall be accompanied by such fees as specified in the Commission's Conduct of Business Regulations.

(5) The application and the tariff proposals will be given due publicity by the generating company or the Licensee as the case may be, through newspapers as specified in regulation 29 of the Conduct of Business Regulations, and in accordance with any further directions/ orders issued by the Commission, to call for objections from the interested persons and the Appropriate Government.

(6) The generating company or the licensee shall furnish to the Commission such information, particulars and documents as the Commission may require, from time to time for determination of tariff.

13. *Aggregate Revenue Requirement.*— (1) The Aggregate Revenue Requirement of the

generating company or the licensee shall comprise of the following:

- (a) Fuel Cost for own generation, if applicable.
- (b) Cost of Power Purchase, if any
- (c) Operation and Maintenance Expenses.
- (d) Depreciation, including Advance against Depreciation.
- (e) Interest and Cost of Finance.
- (f) Return on Equity.
- (g) Income Tax.
- (h) Provision for Bad & Doubtful Debts.
- (i) Other Expenses.

(2) The data should be provided for three years.

- (i) Audited figures for the previous year;

Information for the previous year shall be based on the audited accounts; in the absence thereof, the audited accounts for the immediately preceding year shall be filed along with the un-audited accounts for the previous year.

(ii) Estimated figures for the current financial year should be based on actual figures for the first six months and the estimated figures for the second six months of the year. The estimated figures for the second half year of the current financial year should be based on the actual audited figures for the second half of the previous year with adjustments that reflect known and measurable changes expected to occur between them. These adjustments must be specifically documented and justified.

(iii) Forecasted figures for the ensuing year should be based on the current year figures with adjustments that reflect known and measurable changes expected to occur between them. These adjustments must be specifically documented and justified.

(3) The information to be provided shall also include:

(i) A state of current tariff rates all applicable terms and conditions, and the expected full year revenue from the projected sales at the current tariff rates in the year in which the new tariffs are to be implemented.

(ii) A statement showing calculations of the estimated cost of providing the service required by the level of demand indicated in sub clause (i) above for each consumer class during the same period.

(iii) A statement of the proposed tariff rate, price and charge, including a full statement of all applicable terms and conditions, as compared to those referred to (i) above. This statement should be shown in a form appropriate to the proposed tariff structure. Details should also be supplied of the publicity intended to be given to new tariff options when they are to be implemented.

(iv) A statement of the expected full-year revenue of the proposed tariff for the year in which the tariff is to be implemented.

(v) If the proposed tariff is to be introduced after the beginning of the financial year a statement of the proportion of expected revenue and quantities supplied under each proposed rate during the remaining months of the financial year should be included.

(vi) A statement of the estimated change in annual expected revenue that would result from the proposed tariff changes in the year in which they are to be implemented state in 'Rupees' and 'Percentage' terms.

(vii) A study of marginal cost of the generators business, including time differentiated (time of use) short term marginal costs by voltage levels (wherever applicable) and a written explanation of the method used to calculate marginal costs. In addition, the statement shall include a comparison of the percentage of marginal costs recovered by the current and proposed tariff.

(viii) A written explanation of the rationale for the proposed changes in tariff and other charges, along with justification of the return on equity being requested.

(ix) A statement containing full details of the calculation of any subsidy/subventions received, due or assumed to be due from the State Government.

(x) A written explanation supported by calculations of tariff rates, of any proposed new tariff.

(xi) Such other information as the Commission may direct from time to time.

(4) The Aggregate Revenue Requirement of the generating company or the licensee shall be worked out by adjusting the following in the revenue requirement computed under Clause (1) above:

(i) Necessary adjustments under Regulation 9 'Review and Truing Up;

(ii) Income from surcharge and additional surcharge from Open Access Consumers, if any;

(iii) Transmission and/or Wheeling Charges recovered from the Open Access Customers, if any;

(iv) Authorized portion of income/ revenue from Other Business engaged in by the licensee for optimum utilization of assets, if any, in accordance with the provisions of the Other Business Regulations issued by the Commission.

14. *Estimation of Sales.*— (1) The licensee shall submit actual recorded restricted demand (in MW), unrestricted demand (in MW) and sale of electricity (in MU) for different categories of consumers in its area of supply for Previous Year, revised estimates for the Current Year and forecast for the Ensuing Year. (Information to be furnished in Format-1):

Provided that, where the category-wise unrestricted/restricted demand is not available, these figures may be supplied for the area as a whole, along with an Explanatory Note giving *inter alia* the likely date by which such data are likely to be available and the steps taken/proposed to be taken in that regard.

(2) The Commission shall examine the estimates of sales for reasonableness based on changes in number of consumers, consumption, losses and demand of electricity in previous years and anticipated growth in the next year and any other factors and approve sale of electricity to consumers after considering the relevant factors.

(3) The licensee shall assess and forecast sales to un-metered agricultural category on the basis of the consumption norms for agricultural pump sets or on any other basis, determined, or otherwise found reasonable by the Commission.

Where such norms have already been determined by the Government prior to the notification of these Regulations, the norms so determined shall continue to remain in force until the same are revised by the Commission.

(4) Sale of electricity, if any, to other licensees shall be separately indicated.

(5) The licensee shall also indicate separately the sale of electricity, if any, outside the State/UT including by way of Unscheduled Interchange (wherever possible) or in accordance with an Agreement(s) executed for this purpose.

(6) The licensee should develop a robust database of all consumer categories with particulars such as their demand, energy consumption etc., so as to facilitate accurate forecasting in future.

15. *AT & C Losses.*— (1) The licensee shall give information of total AT & C losses in Previous Year and Current Year and the basis on which such losses have been worked out. (*Information to be furnished in Format 2*).

(2) The licensee shall also propose a loss reduction programme for the Ensuing Year as well as for the next three years giving details of the measures proposed to be taken for achieving the same.

(3) Based on the information furnished and field studies carried out and the loss reduction program proposed by the licensee, the Commission shall fix separate targets for reduction of Transmission and Distribution losses and for commercial efficiency for the period specified by the Commission:

Provided further that in the event of unbundling of the integrated utility, the Commission may fix separate transmission and distribution loss targets and commercial efficiency targets, as the case may be, for each successor licensee taking into account its area of operation, its consumer mix, state of the network, level of metering, metering initiatives planned, etc.

(4) The licensee shall conduct regular energy audit to substantiate its estimation of T&D losses. The licensee shall also furnish six monthly energy audit reports to the Commission.

The energy audit report for the first six months of the year shall be provided by November end of the same year. Similarly energy audit report for the last six months of the year shall be provided by May end of the next year.

(5) In the absence of energy audit, the Commission may not accept the claim of the

licensee and may proceed to fix the loss levels on the basis of any other information available and its own judgment.

16. Estimate of Energy Input Requirement.—

(1) Based on the energy sales and the transmission and distribution losses approved by the Commission for the relevant years, the quantum of electricity required to meet the estimated sales shall be worked out.

(2) The licensee shall procure power from approved sources and through other contractual obligations. Additional energy required after taking into account the availability of energy from such approved sources, shall be procured based on the ranking (Merit Order Dispatch) of all sources of supply.

(3) For purchase of electricity from sources outside the State, the transmission loss level agreed to in the power purchase agreement (PPA) or worked out from energy accounts of RLDC/SLDC shall be accepted.

(Information to be furnished in Format-3)

17. Cost of Power Purchase.— (1) The licensee shall procure electricity in accordance with the provisions of Regulation 60 of the Joint Electricity Regulatory Commission (Conduct of Business) Regulations, 2009 except in case of existing State-owned generating stations and generating stations owned or operated by the licensee.

(2) Where power is purchased by the licensee from State-owned existing generating stations owned or operated by the licensee, the cost of power purchase shall be worked out based on the price determined by the Commission.

(3) The cost of power purchased from central generating companies shall be worked out based on the tariff determined by the Central Electricity Regulatory Commission (CERC).

(4) The cost of power purchased from nuclear power generating stations of NPCIL shall be worked out on the basis of tariff notified by the Department of Atomic Energy under the Atomic Energy Act, 1961.

(Information to be furnished in Format-4)

18. Variation in Power Purchase Cost.— Any power purchased by the licensee over and above the requirement of power approved by the Commission shall be considered by the Commission and if the variations are for reasons beyond the reasonable control of the licensee, the resultant additional cost due to purchase of such power shall be adjusted in next years' ARR.

19. Cost of Generation.— While determining the cost of generation of each thermal/gas/hydro electric generating stations located within the State, the Commission shall be guided, as far as feasible, by the principles and methodologies of CERC, as amended from time to time.

(Information to be furnished in Format - 1G to 12G)

20. Cost of Transmission.— While determining the cost of transmission for use of transmission network of each transmission licensee, the Commission shall be guided, as far as feasible, by the principles and methodologies specified by CERC as amended from time to time for determination of tariff applicable to transmission licensee.

21. Capital Investment Plan.— (1) The generating company and the licensee shall propose in their filings, a detailed capital investment plan, showing separately ongoing projects that will spill into the Ensuing Year and new projects (along with their justification) that will commence in the Ensuing Year.

(2) The Commission may consider the generating company/licensee's investment plan for approval and for this purpose may require the generating company/licensee to

provide relevant technical and commercial details. The carrying costs corresponding to the approved investment plan for a given year shall normally be considered for its revenue requirement.

(3) In presenting the justification for new projects, the generating company and the licensee shall detail the specific nature of the works and outcomes sought to be achieved, and such details must be shown in the form of physical parameters, e.g. new capacity added, to be added, meters replaced, customer service centers set up etc., so that it is amenable for physical verification. In case of any significant shortfall in physical implementation, the Commission may require the generating company/licensee to explain the reasons, and may proportionately reduce the provision, including the interest and the return on equity, made towards revenue requirement, in the next period.

(4) To meet natural calamities involving substantial investments, the generating company and the licensee may, any time during the tariff year, seek provision for additional capital expenditure and the Commission shall examine and review these provisions in the manner as given in sub-regulation clause (2) above and approve their inclusion in revenue requirement in the next period.

(Information to be furnished in Format - 5)

22. Capital Cost and Capital Structure.— (1) The approved investment plan of the generating company or the licensee shall be the basis for determining, the relevant components of ARR for each financial year:

Provided that only those projects/works shall be capitalized that have been completed and put to use.

(2) Investments made prior to and up to 31st March immediately preceding the date of the notification of these Regulations or date of receipt of a petition of tariff determination

whichever is earlier shall be considered on the basis of audited accounts or approvals already granted by the Commission.

(3) Scrutiny of the capital cost estimates by the Commission shall include the reasonableness, financing plan, interest during construction, use of efficient technology, gestation period and such other matters relevant for determination of tariff.

(4) Swapping of debt and equity shall be permitted provided it does not affect tariff charges adversely. The benefits accruing from such swapping shall pass on to the consumers.

(5) Restructuring of capital cost in terms of relative share of equity and loan shall ordinarily not be permitted.

(Information to be furnished in Format 6 & 7)

23. Debt-Equity Ratio.— (1) For the purpose of determination of tariff, debt-equity ratio in case of existing, ongoing as well as new projects commencing after the date of notification of these Regulations shall be 70:30. Where equity employed is more than 30%, the amount of equity for the purpose of tariff shall be limited to 30% and the balance amount shall be considered as loan. Where actual equity employed is less than 30%, the actual debt and equity shall be considered for determination of tariff:

Provided that the Commission may, in appropriate cases, consider equity higher than 30% for the purpose of determination of tariff, where the generating company or the licensee is able to establish to the satisfaction of the Commission that deployment of equity more than 30% is in the interest of the general public.

(2) The debt and equity amounts arrived at in accordance with sub-regulation (1) above shall be used for all purposes including for determining interest on loan, return on equity, Advance against Depreciation and Foreign Exchange Rate Variation:

Provided that in the case of an Integrated Utility, till the time it remains Integrated Utility, it shall be entitled to return on its capital base as per Schedule VI to the repealed Electricity (Supply) Act, 1948.

24. *Return on Equity.*— (1) Subject to the proviso to Regulation 23(2), Return on Equity shall be computed on the paid up equity capital determined in accordance with Regulation 23 and shall be guided by the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004 as amended by the CERC from time to time. The same principles will apply for distribution business also as far as possible.

(2) Equity invested in foreign currency shall be allowed a return up to the prescribed limit under sub-regulation (1) above in the same currency and the payment on this account shall be made in Indian Rupees based on the exchange rate prevailing on the due date of billing. The difference in actual exchange rate and the provisional exchange rate considered while determining the ARR and Tariff shall be taken into consideration at the time of Truing Up.

(3) The premium raised by the generating company or the licensee while issuing share capital and investment of internal resources created out of free reserve, if any, shall also be reckoned as paid up equity capital for the purpose of computing return on equity, subject to limit prescribed in Regulation 24, provided such premium amount and internal resources are actually utilized for meeting capital expenditure.

25. *Interest and Finance Charges on Loan.*—

(1) For existing loan capital, interest and finance charges on loan capital shall be computed on the outstanding loans, duly taking into account the rate of interest and schedule of repayment as per the terms and conditions of relevant agreements.

(2) Interest and finance charges on loan capital for new investments shall be computed on the loans, duly taking into account the rate

of interest and the schedule of repayment as per the terms and conditions of relevant agreements. The rate of interest shall, however, be restricted to the prevailing Prime Lending Rate of the State Bank of India.

(3) The interest rate on the amount of equity above 30% treated as loan shall be the weighted average rate of interest on loan capital of the generating company/licensee:

Provided that interest and finance charges of renegotiated loan agreements shall not be considered, if they result in higher charges:

Provided further that interest and finance charges on works in progress shall be excluded and shall be considered as part of the capital cost.

(4) Interest charges on security deposits, if any, made by the consumers with a generating company/licensee, shall be equivalent to the bank rate or at the rate, if any, specified by the Commission whichever is higher.

(5) In case any moratorium period is availed of, depreciation provided for in the tariff during the years of moratorium shall be treated as repayment during those years and interest on loan capital shall be calculated accordingly.

(6) The Commission shall allow obligatory taxes on interest, commitment charges, finance charges and any exchange rate difference arising from foreign currency borrowings, as finance cost.

(7) Any saving in costs on account of subsequent restructuring of debt shall be passed on to the consumers.

**(Information to be furnished in
Format 9 to 11)**

26. *Depreciation.*— (1) For the purpose of tariff, depreciation shall be computed in the following manner:

(i) The value base for the purpose of depreciation shall be the historical cost of the

assets, that is actual expenses limited to approved capital cost where such capital cost has been approved by the Commission:

Provided that land is not a depreciable asset and its cost shall be excluded from the capital cost while computing depreciation.

(ii) The historical cost of the asset shall include additional capitalization.

(iii) The historical cost shall include foreign currency funding converted into equivalent rupees at the exchange rate prevalent on the date when foreign currency was actually availed but not later than the date of commercial operation.

(iv) Depreciation for generation and transmission assets shall be calculated annually as per straight-line method over the useful life of the asset at the rate of depreciation specified by the Central Electricity Regulatory Commission from time to time:

Provided that the total depreciation during the life of the asset shall not exceed 90% of the original cost.

Depreciation for distribution and other assets not covered by CERC shall be as per Government of India norms of 1994 as may be revised by the Commission from time to time.

(Information to be furnished in Format 12)

(2) The generating company and the licensees shall make all efforts for aligning the tenure of long term debt with permissible rate of depreciation to reduce front loading of tariffs. In case of inadequacy of cash for repayment of debt, only in extreme cases, the Commission may allow Advance Against Depreciation (AAD) in addition to the allowable Depreciation in the following manner:

AAD = Loan repayment amount as per the schedule of repayment subject to a ceiling of 1/10th of the loan amount as per Regulation 24 minus depreciation as per schedule:

Provided that Advance against Depreciation shall be permitted only if the cumulative repayment up to a particular year exceeds the cumulative depreciation upto that year:

Provided further that Advance against Depreciation in a year shall be restricted to the extent of difference between cumulative repayment and cumulative depreciation up to that year.

(3) On repayment of entire loan, the remaining depreciable value shall be spread over the balance useful life of the asset.

(4) Depreciation shall be chargeable from the first year of operation. In case of operation of the asset for part of the year, depreciation shall be charged on *pro-rata* basis.

(Information to be furnished in Format 13)

27. *Operation and Maintenance Expenses.*—
(1) 'Operation & Maintenance expenses' or 'O&M expenses' shall mean repair and maintenance (R&M) expenses (Information to be furnished in Format 14), employees expenses (Format 15&16) and administrative & general (A&G) expenses including insurance. (Format 17).

While determining the O&M expenses for generation functions within the State, the Commission shall be guided, as far as feasible, by the principles and methodologies of CERC on the manner, as amended from time to time. (Information to be furnished in Format 11G).

(2) While determining the O&M expenses for transmission functions within the State, the Commission shall be guided, as far as feasible by the principles and methodologies specified by CERC on the matter, as amended from time to time:

Provided further that the Commission may, if it considers it just, practical and proper considering the size of the total transmission system of, and the quantum of electricity handled by, an integrated utility, treat its

transmission system as an integral part of its distribution system itself.

(3) O&M expenses for distribution functions shall be determined by the Commission as follows:

(a) O&M expenses as approved by the Commission for the first time for a year shall be considered as base O&M expenses for determination of O&M expenses for subsequent years;

(b) Base O&M expenses as above shall be adjusted according to variation in the rate of WPI per annum to determine the O&M expenses for subsequent year, where WPI is the Wholesale Price Index on April of the relevant year;

(c) In case of unbundling of the Electricity Department and formation of separate distribution companies, the Commission will make suitable assessment of base O&M expenses of individual distribution companies separately and allow O&M expenses for subsequent years for individual companies on the basis of such estimation and above principle.

(4) O&M expenses of assets taken on lease/hire-purchase and those created out of the consumers' contribution shall be considered in case the generating company or the licensee has the responsibility for its operation and maintenance and bear O&M expenses.

(5) O&M expenses for gross fixed assets added during the year shall be considered from the date of commissioning on *pro-rata* basis.

(6) O&M expenses for integrated utility shall be determined by the Commission on the norms and principles indicated above.

28. *Bad and Doubtful Debts.*— The Commission may after the generating company/licensee gets the receivables audited, allow a provision for bad debts up to

1% of receivables in the revenue requirement of the generating company/licensee.

(Information to be furnished in format 18)

29. *Working Capital and Interest rate on working Capital.*— (1) For generation and transmission business, the working capital shall be as per CERC norms.

(2) Subject to prudence check, the working capital for distribution business shall be the sum of one month requirement for meeting:

(a) Power purchase cost

(b) Employees cost

(c) Administration & general expenses and

(d) Repair & Maintenance expenses.

(3) Subject to prudence check, the working capital for integrated utility shall be the sum of one month requirement for meeting:

(a) Power purchase cost

(b) Employees cost

(c) Administration & general expenses

(d) Repair & Maintenance expenses

(e) Sum of two month requirement for meeting Fuel cost.

(4) The rate of interest on working capital shall be equal to the short term Prime Lending Rate of State Bank of India on the 1st April of the relevant financial year. The interest on working capital shall be payable on normative basis notwithstanding that the generating company/licensee has not taken working capital loan from any outside agency or has exceeded the working capital loan amount worked out on the normative figures.

(Information to be furnished in Format 19)

30. *Foreign Exchange Rate Variation (FERV).*— Extra rupee liability towards interest payment and loan repayment corresponding to the normative foreign debt or actual foreign debt, whichever is lower, in the relevant year shall be permissible provided it directly arises out of Foreign Exchange Rate Variation and is not attributable to the generating company or the licensee or its suppliers or contractors. Similarly, reduction in Rupee liability shall also be accounted for by the generating company or the licensee. Every generating company or the licensee shall recover Foreign Exchange Rate Variation on a year to year basis as income or expense in the period in which it arises and Foreign Exchange Rate Variation shall be adjusted on a year to year basis.

(Information to be furnished in Format 20)

31. *Tax on Income.*— (1) Obligatory taxes, if any, on the income of the generating company or the licensee from its core/licensed business shall be computed as an expense and shall be recovered from the customers/consumers:

Provided that tax on any income other than the core/licensed business shall not constitute a pass through component in tariff and tax on such other income shall be payable by the generating company or the licensee itself.

(2) Subject to true-up based on the actual, Tax on income, if actually liable to be paid, shall be limited to tax on return on equity allowed, excluding incentives.

(3) The Tax on income shall be considered at income tax rate including surcharge, cess, etc. as applicable during the relevant year in accordance with the provisions of Income Tax Act, 1961 duly amended from time to time.

(4) The benefits of tax holiday and the credit for carrying forward losses applicable as per the provisions of the Income Tax Act, 1961 shall be fully passed on to the customers/ consumers.

32. *Unfunded Liability of Pension and Gratuity.*— With regard to unfunded past

liabilities of pension and gratuity, if any, of the integrated Utility the Commission will follow the principle of 'pay as you go'. The Commission shall not allow any other amount out of ARR towards creating fund for meeting unfunded past liability of pension and gratuity.

The existing funds for the same purpose shall continue to be serviced and will be considered as a pass through.

33. *Non-Tariff Income.*— Following components of income shall be treated as non tariff income for the generating company or the licensee as applicable:

- (1) Meter/metering equipment/service line rentals
- (2) Service charges
- (3) Customer charges
- (4) Revenue from late payment surcharge
- (5) Recovery for theft and pilferage of energy
- (6) Incentives from Central Generating Stations (CGS's)
- (7) Interest on staff loans and advances
- (8) Interest on advances to suppliers
- (9) Income from trading
- (10) Income from staff welfare activities
- (11) Interest on investments, fixed and call deposits and bank
- (12) Net recovery from penalty on coal liaison agents, if any
- (13) Prior period income
- (14) Miscellaneous receipts/income.

(Information to be furnished in Format 21)

34. *Revenue from Other Business.*— A proportion of the Revenue from Other Business shall be treated as income from Other Business, a proportion whereof shall be utilized for reducing the charges proportion of transmission or wheeling, as the case may be, of electricity by the licensee. The proportion of income from Other Business shall be considered in accordance with the Joint Electricity Regulatory Commission for Goa & Union Territories (Treatment of Other Businesses of Transmission Licensees and Distribution Licensees) Regulations, 2009.

(Information to be furnished in Format 22)

35. *Late Payment Surcharge.*— (1) In case the payment of bills of generation tariff, transmission charges, wheeling charges or charges for electricity purchased by a person other than a consumer is delayed beyond a period of 60 days from the date of billing, late payment surcharge at the rate of 1.25% per month or part thereof shall be levied by the generating company or the licensee as the case may be.

(2) For delay in payment of bill by a consumer beyond the period specified by the Commission, a late payment surcharge shall be levied as laid down by the Commission from time to time in the General Conditions of Tariff/Supply Code.

CHAPTER IV

Components of Tariff

36. *Generation Tariff.*— The components of generation tariff shall be as laid down in the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004 as amended by the CERC from time to time.

37. *Transmission Tariff.*— The components of transmission tariff shall be:

(a) *Charges for use of network (Transmission Charges).*— This component of transmission tariff shall be based on Postage Stamp Method

and shall be worked out on the basis of available transmission capacity and would reflect cost of capital investment and operation and maintenance of the transmission system to transfer bulk power. The revenue from this component of transmission tariff will meet the annual revenue requirement of transmission entity in respect of owning the transmission asset.

Transmission charges shall be calculated in accordance with the following formula:

$$\text{Transmission charges} = (\text{ATC})/(\text{Av-CAP} \times 365)$$

Where:

ATC means Annual Transmission Charges determined by the Commission for a transmission licensee.

Av-CAP means the average capacity in MW which can be served by the transmission system of the transmission licensee, which shall be the sum of the generating capacities, connected to the transmission system and contracted capacities of other long term transactions handled by the system of the transmission licensee.

(b) *Operation Charges.*— This component of transmission tariff shall reflect the cost associated with operating the State Load Dispatch Centre. The cost, among other things, shall include the cost of owning and maintaining the State Load Dispatch Centre. The operation charges shall be charged to users of such services as laid down under Section 32 of the Act. The operation charges shall be charged on the basis of average capacity handled by the SLDC.

(c) *Reactive Energy Charges.*— (1) This component of transmission charges would be a variable charge reflecting voltage related drawal/return of reactive power. Reactive power drawals/returns shall be payable at the rates prescribed by the CERC from time to time in the following manner:

(i) The beneficiary pays for reactive power drawal when voltage at the metering point is below 97%

(ii) The beneficiary gets paid for reactive power return when voltage is below 97%

(iii) The beneficiary gets paid for reactive power drawal when voltage is above 103%

(iv) The beneficiary pays for reactive power return when voltage is above 103%.

(2) The transmission licensee shall maintain a separate account of reactive energy charges collected and this fund shall be utilized for providing capacitors and reactive compensation in the system.

38. *Distribution & Retail Supply Tariff.*— The charges for the Distribution & retail supply of electricity shall include:-

(1) a fixed charge/Demand Charges were worked out separately by the Commission;

(2) charges for actual electricity supplied;

(3) Incentive/surcharge for maintaining high/low power factor; and

(4) rent or other charge in respect of the meter or any other equipment provided by the distribution licensee.

CHAPTER V

Tariff Order

39. *Orders by Commission.*— (1) After receipt of Tariff Application under Chapter III of these Regulations and further information considered necessary by the Commission, or otherwise, the Commission may take Tariff Petition on record for further processing and

make appropriate orders regarding initiation of proceedings in accordance with the provisions of the Joint Electricity Regulatory Commission for Goa & Union Territories (Conduct of Business) Regulations, 2009.

(2) The Commission shall, within one hundred and twenty days from the date of receipt of Tariff Petition and after considering all suggestions and objections received from the public and other stakeholders;

(a) issue a tariff order determining the ARR and tariff with such conditions as may be specified in that order. The Tariff Order may *inter alia* contain the following:

(i) the charges to be recovered from various categories of consumers before taking into account the effect of Government subsidy as provided in (7) sub-regulation of Regulation 3.

(ii) transmission and distribution losses determined together or separately.

(iii) transmission tariff and wheeling charges determined together or separately.

(iv) surcharge for different categories.

(v) additional surcharge, if considered necessary.

(vi) charges for supply of electricity by a generating company to a distribution licensee.

Or

(b) reject the tariff petition for reasons to be recorded in writing if such petition is not

in accordance with the provisions of the Act and the Rules and Regulations made thereunder or the provisions of any other law for the time being in force:

Provided that the generating company or the licensee shall be given a reasonable opportunity of being heard before rejecting the Tariff Petition.

40. *Communication of Tariff Orders.*— The Commission shall, within seven days of making the order, send a copy of the order to the Appropriate Government, the Central Electricity Authority, the generating companies and concerned licensees. The Commission shall also make available copies of the said order to any person on payment of a fee fixed by the Commission.

41. *Publication of Tariff.*— (1) The generating company or the licensee shall publish the tariff or tariffs approved by the Commission in newspapers having circulation in the area of supply as the Commission may direct. The publication shall, besides such other things as the Commission may require, include a general description of the tariff changes and its effect on the classes of the consumers or customers.

(2) The Tariff Order shall, unless amended or revoked, continue to be in force for such period as may be specified in the Tariff Order.

42. *Special Provisions.*— The Commission may waive any of the provisions of these Regulations in any matter if, in the opinion of

the Commission, it is impracticable or inexpedient to proceed as per these Regulations. In such a situation, after recording its reasons, the Commission may adopt any other approach which is reasonable and is consistent with the overall approach of these Regulations.

CHAPTER VII

Miscellaneous

43. *Power to Remove Difficulties.*— If any difficulty arises in giving effect to any of these Regulations, the Commission, may, by general or specific order, direct the generating company/licensee to do or undertake things which in the opinion of the Commission are necessary or expedient for removing the difficulties.

44. *Power to Amend.*— The Commission, may, at any time, vary, alter, modify or amend any provisions of these Regulations.

45. *Review of Regulations.*— The Commission, at the end of three years from the date of publishing these Regulations or even earlier if considered just, proper and desirable by it considering the circumstances then prevailing, shall undertake a comprehensive review of these Regulations with the objective of improvement in the principles, procedures and methodologies.

J. S. SEHRAWAT, Secy.
[ADVT III/4/218-I/O9-Exty]

FORMAT-1

(Name of the Applicant)

Annual Revenue Requirement for the year Energy Demand

Year

Sr. No.	Category of Consumer***	No. of Consumers at the end of the year (Nos.)	Connected Load at the end of the Year (KW)	Demand (in MW)		Energy Sale/ Demand (MUs)
				Unrestricted	Restricted	
1	2	3	4	5	6	7
1.	Domestic					
2.	Commercial (NRS)					
3.	Industrial					
	(a) HT Supply					
	(b) LT Supply					
	(c) Total					
4.	Public Lighting					
5.	Railway Traction					
6.	Total Metered Sales (except Agriculture) within State/UT (Total: 1 to 5)					
7.	Agricultural Consumption					
	(a) Metered					
	(b) Un-metered					
	(c) Total					
8.	Total Demand/ /Sale Within State/UT (6+7)					

*** Consumer category classifications may be suitably modified, if those in existence are different from the ones listed, or do not appear, in this Table/Format with a suitable forwarding letter/Note. If any such modification is effected in this Table/Format, the same may be carried out in the other Tables/Formats also, if necessary, in the same sequence.

Note: Month-wise Agriculture consumption data as per sample meters may also be supplied for different years separately for Agricultural pumpsets.

Information regarding AT&C Loss of Licensee

Name of State/UT

Name of licensee

Sr. No.	Particulars	Calculation	Unit	Previous years (Actuals)	Current year (R.E.)	Ensuing year (Projection)
1.	Generation (own as well as any other connected generation net after deducting auxiliary consumption) within area of supply of DISCOM	A	MU			
2.	Input energy (metered Import) received at interface points of DISCOM network	B	MU			
3.	Input energy (metered Export) by the DISCOM at interface points of DISCOM network	C	MU			
4.	Total energy available for sale within the licensed area to the consumers of the DISCOM	$D=A+B-C$	MU			
5.	Energy billed to metered consumers within the licensed area of the DISCOM	E	MU			
6.	Energy billed to unmetered consumers within the licensed area of the DISCOM	F	MU			
7.	Total energy billed	$G=E+F$	MU			
8.	Amount billed to consumer within the licensed area of DISCOM	H	Rs.			
9.	Amount realized by the DISCOM out of the amount Billed at H#	I	Rs.			
10.	Collection efficiency (%) (= Revenue realized/Amount billed)	$J=(I/H) \times 100$	%			
11.	Energy realized by the DISCOM	$K=J \times G$	MU			
12.	Distribution loss (%)	$L=\{(D-K)/D\} \times 100$	%			
13.	AT&C Loss (%)	$M=\{(D-K)/D\} \times 100$	%			

Amount received in the current year for the amount billed in the previous years should not be excluded in this head. However, subsidy received against the current year's sale of electricity should be considered in this head.

@ norms for determining the energy billed to un-metered consumer may be specified. This should be only for two categories i.e. agricultural consumers and the households below poverty line. The norms could be on the basis of sample metering in case of the agricultural consumers which could be further refined on the basis of the results of the consultancy study on cost of supply to agricultural consumers.

Note: Audited figures must be taken from the commercial Department of the utility (Billing and Revenue Section) for computing the AT&C losses. However, 2008-09 provisional figures may be adopted subject to audited figures becoming available later in the year.

FORMAT-3

(Name of the Applicant)

Annual Revenue Requirement for the year Energy Balance

(All figures in MU)

Sr. No.	Item	Previous Year (Actuals)	Current Year (R.E)	Ensuing year (Projection)
1	2	3	4	5

A) Energy Requirement

1. Energy sales to metered category within the State/UT
2. Energy sales to Agriculture consumers
3. Total sales within the State/UT
4. Sales to common pool consumers/UI
5. Sales outside State/UT
6. Sales
 - a) To electricity traders
 - b) Through PX
7. Sales to other distribution licensees
 - a) Bilateral Trade
 - b) Banking Arrangement
8. Total sales
9. T&D losses
 - i) %
 - ii) MU
10. Total energy requirement

B) Energy Availability

1. Net thermal generation (Own+IPP+Share from Central Stations)
2. Net hydel generation (own+shared)
3. Power Purchased from
 - a) Common Pool/UI
 - b) Traders
 - c) PX
 - d) Others
4. Net power purchase (1+2+3)
5. Total energy availability

FORMAT-4

(Name of the Applicant)

Annual Revenue Requirement for the year Power purchase cost

Year

Sr. No.	Source	Capacity (MW)	Firm allocation to Licensee	Gen. Avail-ability/PLF (in %)	AFC (Rs. Crore)	Licensee share (%)	Pur-chase (MU)	External losses (%)	Energy recd. by Licen-see (MU)	VC (Ps/Unit)	FC (Rs. crores)	VC (Rs. crore)	Others (Rs. crore)	Total (Rs. crore)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

I NTPC

- 1.
- 2.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
II	NHPC															
	3.															
	4.															
III	NPCIL															
	5.															
IV	Other Sources															
	6. Own-generation															
	7. Banking															
	a)															
	b)															
	8. Renewable															
	9. PTC/Traders															
	10. Others (may be specified)															
	11. UI															
V	Other Charges															
	12. PGCIL															
	13. LDC															
	14. RLDC															
	Total															

Note: Information may be supplied separately for the previous year, current year and ensuing year.

FORMAT-5

(Name of the Applicant)

Annual Revenue Requirement for the year Investment Plan (year-wise)

Project Details						Source of Financing for Scheme					
Name of Scheme	Year of Start	Nature of Project (Select appropriate code from below)	Approved by the Commission* (Yes/No)	Project Start date (DD-MM-YY)	Project Completion date (DD-MM-YY)	Total capital expenditure approved by JERC (Rs. Cr.)	Equity component		Capital Subsidies/ /grants /component	Consumer Contribution component	Actual Expenditure
							Internal Accrual (from free reserves and surplus)	Equity infused **			
1	2	3	4	5	6	7	8	9	10	11	12

Notes:

* Support with appropriate paper work i.e. Detailed Project Reports and other documents, as necessary.

** Provide break up of Government and Licensee/Private Share Codes for selecting Nature of work.

- a. EHV Schemes
- b. Distribution Schemes
 - i. System augmentation
 - ii. System improvement
 - iii. Schemes for loss reduction
- c. Metering schemes
- d. Capacitor
- e. SCADA/DMS etc.
- f. Miscellaneous

FORMAT-6

(Name of the Applicant)

Annual Revenue Requirement for the year Capital Base and Return

(Rs. in crores)

Sr. No.	Particulars	Previous Year (Actuals)	Current Year (R.E)	Ensuing year (Projection)
1	2	3	4	5
1.	Gross block at beginning of the year			
2.	Less accumulated depreciation			
3.	Net block at beginning of the year			
4.	Less accumulated consumer contribution			
5.	Net fixed assets at beginning of the year			
6.	Reasonable return @3% of NFA			

Sr. No.	Particulars	WIP	Fixed Assets
1	2	3	4
1.	As on 31st March of previous year		
	Add capital expenditure during current year		
	Total:		
	Less transferred to fixed assets		
2.	As on 31st March of current year		
	Add capital expenditure during ensuing year		
	Total:		
	Less transferred to fixed assets		
3.	As on 31st March of ensuing year		

Sr. No.	Particulars	Amount
1	2	3
1.	Accumulated Depreciation	
2.	As on 31st March of previous year	
3.	Add: Depreciation for current year	
4.	As on 31st March of current year	
	Total Depreciation (2+3+4)	
5.	Consumers Contribution	
6.	As on 31st March of previous year	
7.	Addition during current year	
8.	As on 31st March of current year	
	Total Consumers Contribution (6+7=8)	

FORMAT-7

(Name of the Applicant)

Annual Revenue Requirement for the year Original Cost of Fixed Assets

(Rs. in crores)

Sr. No.	Assets group	Value of assets at the beginning of previous year	Addition during previous year	Closing balance at the end of previous year	Addition during the current year*	Closing balance at the end of current year	Addition during ensuing year*	Closing balance at the end of ensuing year
1	2	3	4	5	6	7	8	9
1.	Thermal							
2.	Hydro							
3.	Internal Combustion							
4.	Transmission							
5.	Distribution							
6.	Others							
7.	Total							

*Estimated/Audited

FORMAT-8

(Name of the Applicant)

Annual Revenue Requirement for the year Works-in-Progress

(Rs. in crores)

Sr. No.	Particulars	Previous Year (Actual)	Current Year (RE)	Ensuing year (Projections)
1	2	3	4	5
1.	Opening balance			
2.	Add: New investments			
3.	Total			
4.	Less investment capitalized			
5.	Closing balance			

FORMAT-9

(Name of the Applicant)

Annual Revenue Requirement for the year Interest Capitalized

(Rs. in crores)

Sr. No.	Interest Capitalized	Previous Year (Actuals)	Current Year (RE)	Ensuing year (Projections)
1	2	3	4	5
1.	WIP*			
2.	GFA* at the end of the year			

1	2	3	4	5
3.	WIP+GFA at the end of the year			
4.	Interest (excluding interest on WCL*)			
5.	Interest Capitalized			

*WIP: Works-in-progress; GFA: Gross Fixed Assets; WCL: Working capital loan

FORMAT-10

(Name of the Applicant)

Annual Revenue Requirement for the year Details of loans for the year

[Information to be supplied for the previous year (actuals), current year (RE) and ensuing year (projections)]

(Rs. in crores)

Sr. No.	Particulars (source)	Opening balance	Rate of interest	Addition during the year	Repayment during the current	Closing balance	Amount of interest paid	
							Current year (RE)	Ensuing year (projections)
1	2	3	4	5	6	7	8	9
1.	SLR Bonds							
2.	Non SLR Bonds							
3.	LIC							
4.	REC							
5.	Commercial Banks							
6.	Bills discounting							
7.	Lease rental							
8.	PFC							
9.	GPF							
10.	CSS							
11.	Working capital loan							
12.	Others							
13.	Total							
14.	Add Govt. loan							
	-State Govt.							
	-Central Govt.							
	Total							
15.	Total (13+14)							
16.	Less capitalization							
17.	Net interest							
18.	Add prior period							
19.	Total interest							
20.	Finance charges							
21.	Total interest and finance charges							

FORMAT-11

(Name of the Applicant)

Annual Revenue Requirement for the year

Information regarding restructuring of outstanding loans during the year

Sr. No.	Source of loan	Amount of original loan (Rs. in crores)	Old rate of interest	Amount already restructured (Rs. in crores)	Revised rate of interest	Amount now being restructured (Rs. in crores)	New rate of interest
1	2	3	4	5	6	7	8

FORMAT-12

(Name of the Applicant)

Annual Revenue Requirement for the year

Value of Assets and Depreciation Charges

Sr. No.	Particulars name of the Assets	Rate of depreciation*	Previous Year		Current Year		Ensuing Year		Accumulated depreciation
			Assets value at the beginning of the year	Depreciation charges	Assets value at the beginning of the year	Depreciation charges	Assets value at the beginning of the year	Depreciation charges	
1	2	3	4	5	6	7	8	9	10

(i) Thermal

1. Land and land rights
2. Buildings
3. Hydraulic works
4. Other civil works
5. Plant and machinery
6. Lines and cable network
7. Vehicles
8. Furniture and fixtures
9. Office equipment
10. TOTAL

(ii) Hydel

1. Land and land rights
2. Buildings
3. Hydraulic works
4. Other civil works
5. Plant and machinery
6. Lines and cable network
7. Vehicles
8. Furniture and fixtures
9. Office equipment
10. TOTAL

1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	----

(iii) Internal combustion

1. Land and land rights
2. Buildings
3. Hydraulic works
4. Other civil works
5. Plant and machinery
6. Lines and cable network
7. Vehicles
8. Furniture and fixtures
9. Office equipment
10. TOTAL

(iv) Transmission

1. Land and land rights
2. Buildings
3. Hydraulic works
4. Other civil works
5. Plant and machinery
6. Lines and cable network
7. Vehicles
8. Furniture and fixtures
9. Office equipment
10. TOTAL

(v) Distribution

1. Land and land rights
2. Buildings
3. Hydraulic works
4. Other civil works
5. Plant and machinery
6. Lines and cable network
7. Vehicles
8. Furniture and fixtures
9. Office equipment
10. TOTAL

(vi) Others

GRAND TOTAL (i to vi)

Note * Depreciation rates as per CERC's Depreciation Rate Schedule (Appendix-1)

FORMAT-13

(Name of the Applicant)

Annual Revenue Requirement for the year

Calculation of Advance Against Depreciation

(Rs. in crores)

Sr. No.	Particulars	Previous Year	Current Year	Ensuing year
		(Actual)	(Revised)	(Projected)
1	2	3	4	5

1. 1/10th of the Loan(s)

1	2	3	4	5
2.	Repayment of the Loan(s) as considered for working out Interest on Loan			
3.	Minimum of the Above			
4.	Less: Depreciation during the year A			
5.	Cumulative Repayment of the Loan(s) as considered for working out Interest on Loan			
6.	Less: Cumulative Depreciation B			
7.	Advance Against Depreciation (minimum of A or B)			

FORMAT-14

(Name of the Applicant)

Annual Revenue Requirement for the year

Repair and Maintenance Expenses

(Rs. in crores)

Sr. No.	Particulars	Previous Year (Actual)	Current Year (RE)	Ensuing year (Projections)
1	2	3	4	5
	Plant & machinery			
	-Plant & Apparatus			
	-EHV substations			
	-33KV substation			
1.	-11KV substation			
	- Switchgear and cable connections			
	-Others			
	Total			
2.	Building			
3.	Hydraulic works & civil works			
	Line cable & network			
	-EHV lines			
	-33KV lines			
	-11 KV lines			
4.	-LT lines			
	-Meters and metering equipment			
	-Others			
	Total			
5.	Vehicles			
6.	Furniture & fixtures			
7.	Office equipments			
8.	Operating expenses			
9.	Total			
10.	Add/Deduct share of others (To be specified)			
11.	Total expenses			
12.	Less capitalized			
13.	Net expenses			
14.	Add prior period*			
15.	Total expenses charged to revenue as R&M expenses			

*Year-wise details of these charges may be provided.

FORMAT-15

(Name of the Applicant)

Annual Revenue Requirement for the year

Total Number of Employees

Sr. No.	Particulars	Previous Year (Actuals)	Current Year (RE)	Ensuing year (Projections)
1	2	3	4	5
1.	Number of employees as on 1st April			
2.	Employees on deputation/foreign service as on 1st April			
3.	Total number of Employees (1+2)			
4.	Number of employees retired/retiring during the year			
5.	Number of employees at the end of the year (4-5)			

Note: Information of Number of Employee to be submitted for Generation, Transmission and Distribution separately.

FORMAT-16

(Name of the Applicant)

Annual Revenue Requirement for the year

Employee Cost for the year

[Information to be supplied for the previous year (actual), current year (revised) and ensuing year (projections) separately]

(Rs. in crores)

Sr. No.	Particulars	Previous Year (Actual)	Current Year	Ensuing year (Projections)
1	2	3	4	5

Salaries & Allowances

1. Basic pay
2. Dearness pay
3. Dearness allowance
4. House rent allowance
5. Fixed medical allowance
6. Medical reimbursement charges
7. Over time payment
8. Other allowances (detailed list to be attached)
9. Generation incentive
10. Bonus

11. Total**Terminal Benefits**

12. Leave encashment
13. Gratuity
14. Commutation of pension
15. Workmen compensation
16. Ex-gratia

17. Total**Pension Payments**

18. Basic pension
19. Dearness pension

1	2	3	4	5
20.	Dearness allowance			
21.	Any other expenses			
22.	Total			
23.	Total (11+17+22)			
24.	Amount capitalized			
25.	Net amount			
26.	Add prior period expenses			
27.	Grand total			

Note: 1. Year-wise details of prior period employees cost, if any, may be provided.

2. Separate information of Employee Cost to be submitted for Generation, Transmission and Distribution.

FORMAT-17

(Name of the Applicant)

Annual Revenue Requirement for the year

Administration and General Expenses

(Rs. in crores)

Sr. No.	Sub-head	Previous Year (Actual)	Current Year (RE)	Ensuing year (Projections)
1	2	3	4	5
1.	Rent, rates & taxes			
2.	Insurance			
3.	Telephone, postage & telegrams			
4.	Consultancy fees			
5.	Technical fees			
6.	Other professional charges			
7.	Conveyance & travel expenses			
8.	Electricity & water charges			
9.	Others			
10.	Freight			
11.	Other material related expenses			
12.	Total			
13.	Add/Deduct share of others (to be specified)			
14.	Total expenses			
15.	Less capitalized			
16.	Net expenses			
17.	Add prior period*			
18.	Total expenses charged to revenue			

* Year-wise details of these charges may be provided.

FORMAT-18

(Name of the Applicant)

Annual Revenue Requirement for the year

Information regarding Bad and Doubtful Debts

Sr. No.	Particulars	Amount (Rs. in crores)
1	2	3
1.	Amount of receivable bad and doubtful debts (audited)	
2.	Provision made for debts in ARR	

FORMAT-19

(Name of the Applicant)

Annual Revenue Requirement for the year

Information regarding Working Capital for the current and ensuing year

Sr. No.	Particulars	Amount (Rs. in crores)	
		Current year (RE)	Ensuing year (projections)
1	2	3	4
1.	Fuel Cost		
2.	Power Purchase Cost		
3.	One month's employee costs		
4.	Administration & General expenses		
5.	One month's R&M Cost		
6.	Total		

FORMAT-20

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Information regarding Foreign Exchange Rate Variation (FERV)

Sr. No.	Particulars	Amount (Rs. in crores)
1	2	3
1.	Amount of liability provided	
2.	Amount recovered	
3.	Amount adjusted	

FORMAT-21

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Non Tariff Income

(Rs. in crores)

Sr. No.	Particulars	Previous year (actuals)	Current year (RE)	Ensuing year (projections)
1	2	3	4	5
1.	Meter/Service rent			
2.	Late payment surcharge			
3.	Theft/pilferage of energy			
4.	Wheeling charges under open access			
5.	Interest on staff loans & advance			
6.	Income from trading			
7.	Income staff welfare activities			
8.	Investment & bank balances			
9.	Misc. Receipts/income			
10.	Total income			
11.	Add prior period income*			
12.	Total non tariff income			

*Year-wise details of prior period income may be provided.

FORMAT-22

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Information regarding Revenue from Other Business

Sr. No.	Particulars	(Amount in Crores Rupees)		
		Previous year (actual)	Current year(RE)	Ensuing year (projections)
1	2	3	5	6
1.	Total revenue from other business			
2.	Income from other business to be considered for licensed business as per regulations			

Note: To be supplied for previous year, current year and ensuing year for which licence for other business was operating.

FORMAT-23

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Lease Details

Sr. No.	Name of Lesser	Gross Assets (Rs. in crores)	Lease entered on	Lease Rentals	Primary Period ended/ending by	Secondary period ending by
1	2	3	4	5	6	7

FORMAT-24

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Information regarding Wholesale Price Index (All Commodities)
(To be supported with documentary evidence)

Sr. No.	Period	WPI/CPI*	Increase over previous year
1	2	3	4
1.	As on April 1 of Previous Year		
2.	As on April 1 of Current Year		
3.	As on April 1 of ensuring year		

*CPI is not necessary in case the same is deleted in draft Regulations 28.3(b).

FORMAT-25

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Information regarding amount of equity and loan

Sr. No.	Period	Amount of equity (Rs. in crore)	Amount of loan (Rs. in crore)	Ratio of equity & loan
1	2	3	4	5
1.	As on March 31 of previous Year			
2.	As on March 31 of current Year			
3.	As on March 31 of ensuring Year			

FORMAT-26

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Cash flow statement for the ensuing year (projections)

(Rs. in crores)

Sr. No.	Month	Sources of receipt	Amount	Particulars of payment	Amount
1	2	3	4	5	6
1.	April				
2.	May				
3.	June				
4.	July				
5.	August				
6.	September				
7.	October				
8.	November				
9.	December				
10.	January				
11.	February				
12.	March				
13.	Total				

FORMAT-27

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

(Rs. in crores)

Sr. No.	Item of expense	Proposed by the Licensee	Revised by the Licensee	Approved by the Commission	Actuals as per accounts
1	2	3	4	5	6
1.	Cost of fuel				
2.	Cost of power purchase				

1	2	3	4	5	6
3.	Employee costs				
4.	O & M expenses				
5.	Administration and general expenses				
6.	Depreciation				
7.	Interest charges (including interest on working capital)				
8.	Return on NFA/Equity				
9.	Provision for Bad Debit				
10.	Total revenue requirement				
11.	Less: non tariff income				
12.	Net revenue requirement (10-11)				
13.	Revenue from tariff				
14.	Gap (12-13)				
15.	Gap for				
16.	Total gap (14+15)				
17.	Revenue surplus carried over				
18.	Additional revenue from proposed tariff				
19.	Regulatory asset				
20.	Energy sales (MU)				

- Note: i. Columns 1 to 6 applicable for previous year.
ii. Columns 1 to 4 applicable for current year.
iii. Columns 1 to 3 applicable for ensuing year.

FORMAT-28

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Revenue from Existing Tariff

(Information to be supplied for previous year (actuals), current year (RE), ensuing year (projections))

Sr. No.	Category of consumers	No. of Consumers	Energy sales (MU)	Contacted Max Demand KVA	Demand Charges (Rs./KVA)	Tariff rates (p/unit)	Revenue (Rs. in crores)
1	2	3	4	5	6	7	8
1.	Domestic						
	a) Up to 100 units						
	b) 101-300 units						
	c) Above 300 units						
	Total						
2.	NRS/Commercial						
3.	Public lighting						
4.	Industrial						
	a) HT						
	b) LT						
	Total						

1	2	3	4	5	6	7	8
5.	Bulk supply						
6.	Railway traction						
7.	Common pool/UI						
8.	Outside State						
9.	Total						
10.	Agriculture consumption						
11.	Total						
12.	Add MMC and Other charges						
13.	Grand Total						

*** Consumer category classifications may be suitably modified, if those in existence are different from the ones listed, or do not appear, in this Table/Format with a suitable forwarding letter/Note. If any such modification is effected in this Table/Format, the same may be carried out in the other Tables/Formats also, if necessary, in the same sequence.

FORMAT-1G

SUMMERY SHEET

Name of the Applicant

Name of the Generating Station

Region

State/UT

Sr. No.	Particulars	(Amount in Million Rupees)		
		Previous year (actual)	Current year (RE)	Ensuing year (projections)
1	2	3	4	5
1.	Calculation of Capacity/Fixed Charges			
1.1	Interest on Loan Capital (Form-4 & 5)			
1.2	Depreciation (Form-7)			
1.3	Advance Against Depreciation (Form-8)			
1.4	Return on Equity			
1.5	Operation & Maintenance Expenses (Form-11)			
1.6	Foreign Exchange Rate Variation (Form-10)			
1.7	Interest on Allowed Working Capital (Form-9 as applicable)			
1.8	Taxes on Income			
1.9	Total			
2.	Calculation of Energy/Variable Charges			
2.1	Rate of Energy Charge from Primary Fuel (REC) p2			
2.2	Rate of Energy Charge from Secondary Fuel (REC)			
2.3	Rate of Energy Charge ex-bus (REC) ^{3A, 3B, 3C}			
	Total			
3.	Grand Total (1+2)			

Note:

1. Details of Calculations, considering equity as per regulation, to be furnished and detailed calculations of all the above components of costs be furnished in the Forms mentioned against each.
2. Financial Years for which details are to be submitted should be adjusted in accordance with the year of filing.
3. If multifuel is used simultaneously, give 2.1 in respect of every fuel individually:
- 3A. The rate of energy charge shall be computed for open cycle operation and combined cycle operation separately in case of gas/liquid fuel fired plants.
- 3B. The total energy charge shall be worked out based on ex-bus energy scheduled to be sent out in case of plants covered by ABT, and ex-bus energy sent out in case of plants not covered by ABT, as the case may be.
- 3C. Any escalation in fuel cost to be considered for subsequent years or FPA to take care of the escalation.

FORMAT-2G

Tariff Norms for Energy/Variable Charges

Name of the Applicant

Name of the Generating Station

Region

State/UT

Special features of the plant

- a) Basic Characteristics' & Site Specific Features ²
- b) Environmental Regulation related Features ³
- c) Any other special features
- d) Date of Commercial Operations (COD)
- e) Type of cooling System

Fuel Details ⁴		Primary Fuel	Secondary Fuel	Alternate Fuels				
Mention type of fuel								
Sr. No.	Particulars	Unit	Ref.	Derivation	Previous Year		Current year	
					X-3	X-2	X-1	X
					Actual	Actual	Actual	Revised
1	2	3	4	5	6	7	8	9
1	Installed Capacity	MW						
2	PLF	%						
3	Generation	MU	A	A				
4	Auxiliary Consumption	%	B					
		MU		B				
5	Generation (Ex-bus)	MU	C	(A-B)				
6	Station Heat Rate	Kcal/kWh	D	D				
7	Specific Oil Consumption	ML/kWh	E					
				E				
8	Calorific Value of Fuel Oil	Kcal/Litre	F					
				E				
9	Calorific Value of Coal	Kcal/Kg	G					
				G				
10	Overall Heat rate	Gcal	H	(AxD)				
11	Heat from Oil	Gcal	I	(AxExF)				

1	2	3	4	5	6	7	8	9
12	Heat from Coal	Gcal	J	(H-I)				
13	Actual Oil consumption	KL	K	(Ix1000/ F) or (AxE)				
14	Actual Coal consumption*	MT	L	(Jx1000/ /G)/0.992				
15	Cost of Oil per KL	Rs/KL	M	M				
16	Cost of Coal per MT (incl. LADT)	Rs/MT	N	N				
17	Total cost of Oil	Rs. Million	O	(MxK/10 ^ 6)				
18	Total Cost of Coal	Rs. Million	P	(NxL/10 ^ 6)				
19	Total Fuel Cost	Rs. Million	Q	(O+P)				
20	Fuel Cost/kWh	Rs/kWh	R	(Q/C)				

* The Commission may relax the norm and set trajectory

¹Describe the basic characteristics of the plant e.g. in the case of a coal based plant whether it is conventional steam generator or circulating fluidized bed combustion generator or sub-critical once through steam generator etc.

²Any site specific feature such as Merry-Go-Round, Vicinity to sea, Intake/makeup water systems etc. scrubbers etc. Specify all such features.

³Environmental regulation related features like FGD, ESP etc.

⁴Coal or natural gas or naphtha or lignite etc.

⁵Closed circuit cooling, once through cooling, sea cooling etc.

FORMAT-3G

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Information regarding amount of equity Loan

Sr. No.	Period	Amount of equity (Rs. in crores)	Amount of loan (Rs. in crores)	Ratio of equity & loan
1	2	3	4	5
1.	As on March 31 of previous year			
2.	As on March 31 of current year			
3.	As on March 31 of ensuing year			

FORMAT-4G

(Name of the Applicant)
Annual Revenue Requirement for the Year _____
Interest Capitalized

(Rs. in crores)

Sr. No.	Interest Capitalized	Previous year (actuals)	Current year (RE)	Ensuing year (projections)
1	2	3	4	5
1.	WIP*			
2.	GFA* at the end of the year			
3.	WIP+GFA at the end of the year			
4.	Interest (excluding interest on WCL*)			
5.	Interest Capitalized			

*WIP: Works-in-Progress; GFA:Gross Fixed Assets; WCL: Working capital loan

FORMAT-5G

(Name of the Applicant)
Annual Revenue Requirement for the Year _____
Details of loans Interest and Finance Charges for the year

(Rs. in crores)

Sr. No.	Particulars (source)	Opening balance	Rate of interest	Addition during the year	Repayment during year	Closing balance	Amount of interest paid	
							Current year (RE)	Ensuing year (projections)
1	2	3	4	5	6	7	8	9
1	SLR Bonds							
2	Non SLR Bonds							
3	LIC							
4	REC							
5	Commercial Banks							
6	Bills discounting							
7	Lease rental							
8	PFC							
9	GPF							
10	CSS							
11	Working capital loan							
12	Others							
13	Total							
14	Add Govt. loan							
	-State Govt.							
	-Central Govt.							
	Total							
15	Total (13+14)							
16	Less capitalization							
17	Net interest							

1	2	3	4	5	6	7	8	9
18	Add prior period							
19	Total interest							
20	Finance charges							
21	Total interest and finance charges							

FORMAT-6G

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Information regarding restructuring of outstanding loans during the year

Sr. No.	Source of loan	Amount of original loan (Rs. in crores)	Old rate of interest	Amount already restructured (Rs. in crores)	Revised rate of interest	Amount now being restructured (Rs. in crores)	New rate of interest
1	2	3	4	5	6	7	8

FORMAT-7G

Calculation of Depreciation Rate

Name of the Applicant

Name of the Generating Station

Region

District

State/UT

Date of Commercial operation of the Generating Station

Capital Cost of the Generating Station

Additional Capitalisation

Total Capital cost of the Generating Station

Estimated life of the Generating Station

Rate of Depreciation

Upto (year)

After (year)

(Amount in Crore Rupees)

Sr. No.	Name of the Assets ¹	Depreciation rates as per CERC's Depreciation Rate Schedule (Appendix-1)	Previous year		Current year		Ensuing year		Accumulated depreciation Amount
			Assets value at the beginning of the year	Depreciation charges	Assets value at beginning of the year	Depreciation charges	Assets value at the beginning of the year	Depreciation charges	
1	2	3	4	5	6	7	8	9	10

1 Land

2 Building

1	2	3	4	5	6	7	8	9	10
3	and so on								
4									
5									
6									
7									
8									
9									
10									
11									
12									
Total									
Weighted									
Average Depre-									
ciation Rate (%)									

¹Name of the Assets should conform to the description of the assets mentioned in Depreciation Schedule appended to the Notification.

FORMAT-8G

Name of the Applicant
Name of the Power Station

Calculation of Advance against Depreciation

(Rs. Crores)

S. No.	Particulars	Previous year		Current year	Ensuing year	
		X-2	X-1	X	X+1	X+2
		Actual	Actual	Revised	Projected	Projected
1	2	3	4	5	6	7
1	1/10th of the Loan(s)					
2	Repayment of the Loan(s) as considered for working out Interest on Loan					
3	Minimum of the Above					
4	Less: Depreciation during the year A					
5	Cumulative Repayment of the Loan(s) as considered for working out Interest on Loan					
6	Less: Cumulative Depreciation B					
7	Advance Against Depreciation (minimum of A or B)					

Name of the Applicant:

Name of the Power Station:

Calculation of interest on working capital for generation

(Amount in millions)

S. No.	Particulars	Previous year			Current year	Ensuing year
		X-3	X-2	X-1	X	X-1
		Actual	Actual	Actual	Revised	Projected
1	2	3	4	5	6	7
1	Cost of Coal/Lignite ¹					
2	Cost of Secondary Fuel Oil ¹					
3	Fuel Cost ²					
4	Liquid Fuel Stock ²					
5	O & M expenses					
6	Maintenance spares					
7	Receivables					
8	Total working capital					
9	Rate of interest on working capital					
10	Interest on working capital					

1 For coal based/lignite based generating stations.

2 For Gas Turbine/Combined Cycle generating stations duly taking into account the mode of operation on gas fuel and liquid fuel.

FORMAT-10G

(Name of the Applicant)

Annual Revenue Requirement for the Year _____

Information regarding Foreign Exchange Rate Variation (FERV)

Sr. No.	Particulars	Amount (Rs. in crores)
1	2	3
1.	Amount of liability provided	
2.	Amount recovered	
3.	Amount adjusted	

FORMAT-11G

Name of the Applicant:

Name of the Power Station:

Details of Operation and Maintenance Expense

Particulars	Previous year			Current year	Ensuing year
	X-3	X-2	X-1	X	X+1
	Actual	Actual	Actual	Revised	Projected
1	2	3	4	5	6

(A) Breakup of O & M expenses

1. Consumption of Stores and Spares
2. Repair and Maintenance
3. Insurance
4. Security

1	2	3	4	5	6	7
5.	Administrative Expenses					
	– Rent					
	– Electricity Charges					
	– Travelling and conveyance					
	– Telephone, telex and postage					
	– Advertising					
	– Entertainment					
	– Others (Specify items)					
	Sub-Total (Administrative Expenses)					
6.	Employee Cost*					
	a) Salaries, wages and allowances					
	i. Basic pay					
	ii. Dearness pay					
	iii. Dearness allowance					
	iv. House rent allowance					
	v. Fixed medical allowance					
	vi. Medical reimbursement charges					
	vii. Over time payment					
	viii. Other allowances (detailed list to be attached)					
	ix. Generation incentive					
	x. Bonus					
	Total					
	b) Staff welfare expenses/Terminal Benefits					
	i. Leave encashment					
	ii. Gratuity					
	iii. Commutation of pension					
	iv. Workmen compensation					
	v. Ex-gratia					
	Total					
	c) Productivity linked incentive					
	d) Pension Payments					
	i. Basic pension					
	ii. Dearness pension					
	iii. Dearness allowance					
	iv. Any other expenses					
	Total					
	Total Employee Cost (a+b+c=d)					
7.	Corporate/Head office expenses allocation					
8.	Total (1 to 7) LESS: Recovered, if any Net Expenses					

Notes:

- I. The process of allocation of corporate expenses to generating stations should be specified.
- II. An annual increase in O & M expenses under a given head in excess of 20 percent should be explained.
- III. The data should be based on audited balance sheets

1	2	3	4	5	6	7
(B)	Breakup of corporate expenses (Aggregate)					
	– Employee expenses					
	– Repair and maintenance					
	– Training and Recruitment					
	– Communication					
	– Travelling					
	– Security					
	– Rent					
	– Others					
	Total					
(C)	Details of number of Employees					
	i) Executives					
	ii) Non-Executives					
	iii) Skilled					
	iv) Non-Skilled					
	Total					

* Details can be submitted in separate formats for different heads under Employee Cost

FORMAT-12G

Name of the Applicant

Name of the Generating Station

Date of Commercial operation of the Generating Station

Annual Revenue Requirement for the Year _____

Generation Tariff Determination, Return on Equity and Tax on Income

(Amount in Crore Rupees)

S. No.	Particulars	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
1	2	3	4	5	6	7	8
1.	Gross Generation (MU)						
2.	Auxiliary Consumption (MU)						
3.	Net Generation (MU)						
4.	Capacity Charges						
	a) Interest on loan Capital						
	b) Depreciation						
	c) Advance Against Depreciation						
	d) O & M Expenses						
	e) Interest on Working Capital						
	f) Foreign exchange Rate Variation						
	g) Return on Equity						
	h) Taxes						
5.	Energy/Variable Charges*						
6.	Total Expenses (4+5)						
	Cost per Unit (3/6)						

* Energy Charges as stated in Format 2.

Note:

1. Year 1 is the FY in which the last unit of the generating station started Commercial Operation.

Notification

Gurgaon, the 11th February, 2010

No. JERC-8/2009.— In exercise of powers conferred on it by Section 181 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in that behalf, the Joint Electricity Regulatory Commission, after previous publication, hereby makes the following regulations, namely:—

1. *Short title and commencement.*— (1) These regulations may be called the Joint Electricity Regulatory Commission (Appointment of Consultants) Regulations, 2009.

(2) These regulations shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.*— (1) In these regulations unless the context otherwise requires:—

(a) “Act” means the Electricity Act, 2003 (36 of 2003);

(b) “Commission” means the Joint Electricity Regulatory Commission for the State of Goa and Union Territories;

(c) “Consultant” includes any individual not in the employment of the Commission, firm, body or association of persons, who or which possesses or has access to any specialized knowledge, experience or skill;

(d) “Secretary” means the Secretary of the Commission.

(2) Words or expressions occurring in these regulations and not defined herein but defined in the Act or in the Joint Electricity Regulatory Commission (Conduct of Business) Regulations, 2009 shall bear the same meaning as in the Act or in the said Conduct of Business Regulations.

3. *Scope of Work.*— The Commission may from time to time appoint consultants for

executing specialized tasks for which skills are either not available within the staff of the Commission or where the nature of job is specific and time-bound or where the Commission considers appointment of consultant to be conducive or more efficacious and efficient method of completing the task in terms of quality, cost, time or on any other consideration.

(1) The terms and conditions of engagement of consultants will be drawn up in each case and agreed to between the consultant and the commission prior to award of consultancy.

(2) The terms of engagement would specify the exact nature of the tasks to be undertaken by the consultant, the time allowed for completion of each task and the specific outputs that are to be provided by the consultant in relation to each work.

4. *Period of Appointment.*— The consultant shall be appointed for the minimum period:

Provided that the period of initial appointment of a consultant on any specific assignment shall not normally exceed two years:

Provided further that period of appointment may be extended subject to the condition that the maximum period of continuous appointment of a consultant in no case shall exceed four years.

5. *Categorisation of Consultants.*— The consultants shall be categorized as: (a) Institutional consultants, and (b) Individual consultants.

6. *Institutional Consultant.*— Institutional consultant may be appointed where the Commission, on being satisfied that there is a need for availing consultancy services which, in its opinion, may be more appropriately provided by a firm, or a company or an association or body of persons.

7. *Individual Consultant.*— Individual consultant may be appointed for assignments for which teams of personnel are not required, where the experience and qualifications of the individual are of paramount consideration and the Commission is of the opinion that the consultancy services can be more efficiently performed by an individual, having regard to the qualifications and experience considered relevant for the assignment.

8. *Categorization of Individual Consultants.*— (1) Based on experience, individual consultants shall be categorized as

Category	Minimum Experience in the Area of Appointment
Advisors	15 years
Senior Consultants	10 years
Consultants	3 years

(2) The Commission may prescribe minimum educational qualifications, depending on the nature of the work, and the relevant professional qualifications related to subject area of the consultancy.

(3) The Commission may in appropriate case, for reasons to be recorded in writing, relax the educational qualifications, keeping in view the overall expertise of the person being considered for engagement as individual Consultant.

9. *Fees and Other Charges in case of Individual Consultants.*— (1) Except where the Commission directs otherwise, the individual consultant shall be appointed generally on a consolidated fee at the rates specified in the Schedule:

Provided that the Commission may from time to time by an order in writing, direct revision of the rates of fee specified in the Schedule.

(2) No payments in addition to the consolidated fee in accordance with sub-regulation (1) shall be made in the case of individual consultant:

Provided that the Commission may allow an additional amount not exceeding 10% of the fee payable to the consultant to cover expenditure of contingent nature.

(3) Where the consultant has to incur expenditure on travel to and stay at a place away from the headquarters of the Commission, the Commission shall reimburse the cost of travel by an appropriate class, not lower than that permitted to a Group A Officer of the Central Government and authorize payment of Daily Allowance, as specified in the schedule, in addition to fee and other charges payable under these regulations, for such number of days as the Commission may consider appropriate.

(4) The fee and other charges payable to individual consultants under these regulations shall also be payable to former and retired Government servants appointed as consultants.

(5) In the case of an institutional consultant the rates for different categories of individual consultants will be used as a broad guide line to determine the reasonableness of costs allocated to consultant time in the proposal. In addition to the costs for consultant time, amount allowable for overheads on account of office expenditure like telephone, photocopying, fax expenses etc., will be subject to negotiation and broadly be based on actual position regarding these expenditures. The limit for contingency in the case of Institutional consultant will be 10% of the fees payable for consultant time besides the amount allowed as overhead for office expenses.

10. *Appointment of Consultant.*— (1) The Commission, on being satisfied that there is a need to avail services of the consultant for any task, shall direct the Secretary to prepare or cause to be prepared the details terms of reference.

(2) The Commission may decide either to invite combined technical and financial

proposals or separate technical and financial proposals.

(3) The Commission may prescribe the minimum qualifying marks for the technical bid.

(4) The Secretary shall prepare or cause to be prepared the detailed terms of reference for the appointment of consultant for any specific task and shall obtain approval of the Commission.

(5) The terms of reference shall be prepared to specify the objectives, goals and scope of the assignment and provide background information including a list of existing relevant studies and basic data to facilitate the consultant in preparation of his proposal:

Provided that the terms of reference shall also list the services and surveys necessary to carry out the assignment and the expected outputs (for example reports, data, surveys etc.) linked to each task included in the terms of reference:

Provided further that where transfer of knowledge, training is an objective, the terms of reference shall detail the number of staff to be trained.

(6) The Secretary prior to processing the proposal for obtaining approval of the Commission shall ensure that the necessary budgetary provisions exist for the proposal to appoint consultant.

(7) The scope of the services described in the TOR shall be compatible with the available budget.

(8) After approval of the terms of reference by the Commission, the Secretary shall issue or cause to be issued the request for proposals to invite proposals for appointment as consultant and give such publicity as may be considered appropriate by the

Commission. Provided that the Commission may dispense with the process of issuing public advertisement where the fee payable for an assignment does not exceed Rs. 5 lakhs.

11. *Request for proposals.*— The request for proposals shall include the following:—

(1) A letter of invitation stating the intention of the Commission to enter into a contract for provision of consultancy services, the details of the plan and the date, time and address for submission of proposals.

(2) Information to the consultants shall contain all necessary information that will help them to prepare responsive proposals by providing information on the evaluation process and by indicating the evaluation criteria and factors and their respective weights and the minimum pre-qualification score and special qualifying clause if any.

(3) Terms of reference as prepared in regulation 10 (5) above.

12. *Receipt of proposals.*— (1) The Commission shall prescribe the time within which the consultants shall submit their proposals.

(2) The Commission may where considered appropriate extend the time limit for submission of proposals.

(3) No amendment to the technical or financial proposals shall be accepted after expiry of the time limit.

(4) The proposals shall be submitted in sealed cover.

(5) Where the Commission prescribes that separate technical and financial proposals be submitted, they shall be submitted in separate sealed envelopes.

13. *Evaluation of proposals.*— (1) The proposal shall be evaluated both on the basis of quality as well as cost.

(2) The proposal shall be evaluated by a Committee appointed by the Commission.

(3) Where the Commission decides that the technical and financial proposals be evaluated separately, the Committee shall not have access to the financial proposals, until evaluation of the technical proposals is completed.

14. *Technical Evaluation.*— (1) Technical evaluation will be done by the Committee appointed under regulation 13(2) above taking into account the criteria given under sub-regulation (2) below.

(2) Each criterion shall be marked on a scale of 1 to 100 and then the marks for each criterion shall be weighted to become average technical scores. Weights in the following ranges will be used by the Committee, with the approval of the Commission, to calculate the weighted average technical score for each proposal:-

Criterion	Range of Weights
Consultant's relevant experience for the assignment	0.10 to 0.40
Quality of the methodology proposed	0.20 to 0.50
Qualifications of the key staff proposed	0.30 to 0.60
Extent of transfer of knowledge to the staff of the Commission	0.05 to 0.35

Note: The mix of weights approved by the Commission will total to 1.

(3) Where the assignment depends critically on the performance of the key staff, the proposal shall be evaluated on the qualifications of the individuals proposed to be appointed using the following criteria:—

(a) *General qualifications.*— General education and training, length of experience, positions held, time with the consulting firm as staff, experience in developing countries etc.

(b) *Adequacy for the assignment.*— Education, training, experience in the specific sector, field, subject and relevance to the particular assignment.

(c) *Regional Experience.*— Knowledge of the administrative system, organization and culture at the local/regional level.

(4) After the technical evaluation is completed the Commission shall inform those Consultants whose proposals did not meet the minimum qualifying mark or were considered non-responsive to the terms of reference, and their financial proposals will be returned unopened after completing the selection process. The Commission shall have the right of distribution of marks on the basis of nature and requirement of the assignment. Simultaneously, those Consultants who have secured the minimum qualifying marks shall be informed about the date and time for opening the financial proposals, giving sufficient time for the Consultants to be present at the opening should they so desire.

15. *Financial Evaluation.*— (1) The financial proposals of the pre-qualified Consultants will be opened by the committee in the presence of consultants or their representatives whose bids are shortlisted for financial evaluation. The proposed prices shall be read aloud and recorded in minutes of the proceedings.

(2) The Secretary will cause a review of the financial proposals to be done. The cost will be converted to a single currency using uniform selling (exchange) rates.

(3) The proposal with lowest cost will be given a financial score of 100 and other proposals given financial scores that are inversely proportional to their prices.

16. *Evaluation of financial and technical scores.*— (1) The total score shall be obtained by weighting the technical and financial scores and adding them and the consultant with highest total score shall be invited by the Commission to enter into a contract within

the prescribed time limit. The weight for the financial score shall be as prescribed by the Commission in each case taking into account the complexity of the assignment and the relative importance of quality. However, the weight will never exceed 0.3 for the financial score in any case.

(2) The Commission may reject any or all proposals if they are found to be unresponsive or unsuitable either because they represent major deficiencies in complying with the terms of reference or they involve cost substantively higher than the original estimate.

17. *Single source selection.*— Single source selection may be resorted to by the Commission in appropriate cases where it represents a clear advantage because the tasks represent a natural continuation of previous work carried out by the consultant, or where an urgent selection is essential, or for small assignment where the fee payable does not exceed Rs. 5 lakhs or where only one firm is qualified or has experience for the assignment.

18. *Selection of individual Consultants.*— Individual consultants may be selected on the basis of their qualifications and experience for the assignment. They may be selected on the basis of references or from amongst those who are approached directly by the Commission. Their suitability shall be judged on the basis of academic background, experience and, as appropriate, knowledge of local conditions, administrative system and government organization.

19. *Conflict of interest.*— Consultant shall not be hired for any assignment that would be in conflict with his prior or current obligations to other clients or that may place them in a position of not being able to carry out the assignments objectively and impartially.

20. *Appointment of Consultants.*— The consultant selected for appointment shall be

required to execute an agreement in the format given at the end of these regulations, with such variations and modifications considered appropriate in individual cases.

21. *Saving of inherent power of the Commission.*— Nothing in these provisions shall bar the Commission from adopting a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of the matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient to depart from the procedure prescribed in these Regulations.

22. *General power to amend.*— The Commission may at any time and on such terms, as it may think fit, amend any provision of these Regulations for the purpose of meeting the objectives with which these Regulations have been framed.

23. *Power to remove difficulties.*— If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything, not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

J. S. SEHRAWAT, Secy.
[Advt. III/4/218-I/09-Exty.]

SCHEDULE

Fee for Individual Consultants

Category	Maximum Fee per man-day	Daily Allowance*
Advisors	Rs. 5000/-	Actual for boarding and lodging expenses
Senior Consultants	Rs. 4,000/-	Actual for boarding and lodging expenses
Consultants	Rs. 2,000/-	Actual for boarding and lodging expenses

*Note: The Commission reserves the right to specify the exact amounts permissible as daily Allowance, determine the reasonable limits within which actual expenses are to be allowed, on a case-to-case basis, and assess the reasonableness of any claim submitted thereof.

SCHEDULE

Articles of Agreement made on this day of between of of one (first) part (Consultant) and the Joint Electricity Regulatory Commission (herein after called "the Commission") of the other (Second) part.

Whereas the Commission has engaged the party of the first part as a Consultant and the party of the first part has agreed, to provide the consultancy services to the Commission, on the terms and conditions herein after contained.

Now these presents witness and the parties hereto respectively agree as follows:

(1) The party of the first part (Consultant) shall submit himself to the orders of the Commission and of the officers and authorities under whom he may from time to time be placed by the Commission.

(2) The party of the first part (Consultant) shall complete the assignment as contained in Schedule— 'A' within a period of ____ commencing from ____.

(3) The party of the first part (Consultant) shall be paid as under.

(4) The schedule of payments shall be as under.

(5) No TA/DA shall be admissible to the party of the first part for local journeys in connection with the consultancy assignment. (may be varied depending on terms agreed for any individual assignment)

(6) The payment of fee shall be made by the Commission after the deduction of tax at source in accordance with law for the time being in force.

(7) Any information of confidential nature, which comes to the knowledge or into the possession of the consultant or of any its employees by virtue of the engagement subject matter of this contract shall not be disclosed by the consultant or its employees to any unauthorized person in any manner. Any breach of this clause without prejudice to any other

action that may be initiated according to law, shall also subject the consultant to a liability to pay to the Commission such compensation as may be decided by the Commission keeping in view the nature, manner and motive of the information disclosed and the extent of the damage caused by such unauthorized disclosure.

(8) The Party of the first part undertakes that this assignment shall not be in conflict with its prior or current obligation to other clients nor shall it place itself in a position of not being able to carry out the assignments objectively and impartially.

(9) In case of any default on the part of the party of the first part in completion of the work within time schedule agreed to between the parties as herein above, the party of the second part (the Commission) shall be at liberty to get the work completed from any other agency at the risk and cost of the party of the first part (Consultant).

(10) The Commission reserves its right to foreclose, terminate or cancel the engagement of the consultant without assigning any reasons. In such cases party of the first part (Consultant) shall be paid remuneration after taking into consideration the portion of work completed prior to such foreclosure, termination or cancellation of the engagement as may be decided by the Commission and the decision of the Commission shall be conclusive and binding. The remuneration so fixed and paid shall be deemed to be the final payment in such cases.

(11) In case of any differences or disputes between the parties arising out of this AGREEMENT, the same shall be referred for arbitration of a person nominated by the Commission. The proceedings shall be subject to the Arbitration and Conciliation Act 1996, as amended from time to time.

(12) *Consultant's Personnel.*— The party of the first part (Consultant) shall provide Description of personnel with names, position and qualifications.

(13) *Removal and/or replacement of the personnel.*— Except as the Commission may otherwise agree, no change shall be made in the key personnel. If, for any reason, beyond the reasonable control of the Consultant, it becomes necessary any of the key personnel, the Consultant shall forthwith provide as a replacement a person of equivalent or better qualifications, which is acceptable to the Commission.

(14) If the Commission finds that any of the personnel (1) committed serious misconduct or has been charged with having committed a criminal action or (2) have reasonable cause to be dissatisfied with the performance of any of the personnel, then the Consultant shall, at the Secretary's written request, specifying the ground therefore, forthwith provides as a replacement a person with qualification and experience acceptable to the Commission. The Consultant shall have no claim for additional costs arising out of or incidental to any removable and/or replacement of personnel.

(15) Nodal Person of the party of the first part (Consultant) Mr. _____

(16) The Secretary, Joint Electricity Regulatory Commission, shall be the Nodal Officer on behalf of the Commission.

(17) Any other terms and conditions.

(18) In respect of any matter for which no provision has been made in this agreement, the provisions contained in the general instructions of the Government of India on the subject of engagement of consultants shall apply.

IN WITNESS WHEREOF the party of the first part (Consultant) and _____ to the Commission on behalf of the Commission have hereto put their hands on the day and the year first above written.

Signed by _____ the party of the first part in the presence of _____

Signed by _____ to the Commission for and on behalf of the Commission in the presence of _____

Notification

Gurgaon, the 11th February, 2010

No. JERC-9/2009.— In exercise of the powers conferred on it by Section 181 of the Electricity Act, 2003 (36 of 2003) and all the powers enabling it in this behalf, the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories, after previous publication, hereby makes the following regulations, namely:—

1. *Short title, commencement and extent.*—
(i) These regulations may be called the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Open Access in Transmission and Distribution) Regulations, 2009.

(ii) These regulations shall come into force from the date of their publication in the Official Gazette.

(iii) These regulations extend to the whole of the State of Goa and the Union Territories of Andaman and Nicobar Islands, Lakshadweep, Dadra & Nagar Haveli, Daman & Diu, Puducherry and Chandigarh.

2. *Definitions.*— (1) In these regulations, unless the context otherwise requires:

(a) "Act" means the Electricity Act, 2003 (36 of 2003);

(b) "Commission" means the Joint Electricity Regulatory Commission for the State of Goa and the Union Territories;

(c) "existing beneficiary" means a person who is a user of the transmission system or distribution network on the date of commencement of these regulations either as a generating company or as a transmission licensee or distribution licensee;

(d) "nodal agency" means the nodal agency defined in Regulation 8 of these regulations;

(e) "open access user" means a person permitted to use intra-State transmission system or receive supply of electricity from a person other than the distribution licensee of his area of supply, and the expression includes a generating company and a licensee, who has availed of or intends to avail of open access;

(f) "State" means the State of Goa, and includes a Union Territory, but does not include the Union Territory of Delhi.

(2) Words and expressions occurring in these regulations and not defined herein but defined in the Act shall bear the same meanings as respectively assigned to them in the Act and the words and expressions used herein but not specifically defined herein or in the Act shall have the meanings generally assigned to them in the electricity industry.

3. *Categorization of Open Access Users.*—

(i) The open access users shall be divided into two categories, namely:—

(a) Long-term open access users, and

(b) Short-term open access users.

(ii) The persons availing or intending to avail open access for a period of twenty-five years or more shall be the long-term open access users:

Provided that the existing beneficiaries shall be deemed to be the long-term open access users of the transmission system or the distribution network, as the case may be.

(iii) The open access users other than the long-term open access users shall be the short-term open access users:

Provided that the maximum duration for the short-term open access allowed at a time shall not exceed one year:

Provided further that the short-term open access users shall be eligible and re-eligible to obtain fresh reservation after expiry of their term.

4. *Publication of Details of Existing Beneficiaries.*— The transmission/distribution licensees shall publish the details of the existing beneficiaries (including self-use and use by unbundled agencies which were previously integrated) either on their own website or on the website of the State Load Dispatch Centre within 180 days from the date of commencement of these regulations.

5. *Criteria for Long-term and Short-term Open Access.*— (i) Long-term open access shall be allowed in accordance with the transmission planning criterion stipulated in the State Grid Code.

(ii) Short-term open access shall be allowed, if the request for open access can be accommodated by utilizing:—

(a) Inherent design margins;

(b) Margins available due to variation in power flows; and

(c) Margins available due to in-built spare transmission capacity created to cater to future load growth.

6. *Future Requests for Open Access.*— All future requests for use of the transmission system and distribution network shall be handled in accordance with these regulations.

7. *Allotment Priority of Long-term Open Access User.*— Allotment priority of a long-term open access user shall be higher than reservation priority of a short-term open access user:

Provided that within a category (long-term open access users or short-term open access users), there shall be no discrimination between open access users and self-use by an integrated entity.

8. *Nodal Agency.*— (i) The nodal agency for arranging the long-term open access within the State shall be the State Transmission Utility (STU).

(ii) The nodal agency for the short-term open access within the State shall be the State Load Dispatch Centre (SLDC).

9. *Detailed Procedure.*— The nodal agency shall issue detailed procedure, guidelines, and the form of application within 30 days from the date of commencement of these regulations.

10. *Procedure for Long-Term Open Access.*—

(i) An application for long-term open access shall be submitted to the concerned nodal agency in accordance with the detailed procedure issued under Regulation 9;

(ii) The application shall contain the details, such as capacity needed, point(s) of injection, point(s) of drawal, duration of availing open access, peak load, average load and such other additional information that may be specified by the nodal agency;

(iii) The application shall be accompanied by a non-refundable application fee of Rs. Fifty thousand payable in the name and in the manner to be decided by the nodal agency;

(iv) Based on system studies conducted by the nodal agency in consultation with other agencies concerned, including other transmission and distribution licensees, the nodal agency shall, within 30 days of receipt of the application, intimate to the applicant whether or not the long-term open access can be allowed without further system strengthening;

Provided that where the long-term open access can be allowed without further system strengthening, this shall be allowed immediately after entering into commercial agreements;

(v) If, in the opinion of the nodal agency, further system strengthening is essential before providing the long-term access, the applicant may request the nodal agency to carry out the system studies and preliminary investigation for the purpose of cost estimates and completion schedule for system strengthening;

(vi) The nodal agency shall carry out the studies immediately on receipt of request from the applicant under sub-regulation (v) and intimate results of the studies to the applicant within 90 days of receipt of request.

(vii) The applicant shall reimburse the actual expenditure incurred by the nodal agency for

carrying out the system studies and preliminary investigation for the purpose of cost estimates and completion schedule for system strengthening;

Provided that the fee of Rupees fifty thousand paid by the applicant shall be adjusted against the actual expenditure to be reimbursed by the applicant.

11. *Bulk Capacity Agreement.*— (i) A long-term open access user shall enter into Bulk Power Transmission/Distribution Capacity Agreement with the transmission /distribution licensee for use of their transmission system and distribution network.

(ii) The agreement shall provide, amongst other things for the eventuality of premature its termination and its consequences on the contracting parties.

(iii) After agreement has been entered into and copies furnished to State Load Dispatch Centre, the State Load Dispatch Centre shall inform the open access user the date from which open access is likely to be available:

Provided that the date of availability of open access shall not be later than 3 days from the date of furnishing of agreements.

12. *Exit Option.*— (i) A long-term open access user shall not relinquish or transfer his rights and obligations under the Bulk Power Transmission/Distribution Capacity Agreement, without prior approval of the Commission.

(ii) The relinquishment or transfer of rights and obligations by a long-term open access user shall be subject to payment of compensation, as may be determined by the Commission.

13. *Procedure for Short-Term Open Access.*—

(i) A short-term open access user shall submit an application for transmission/distribution access to the State Load Dispatch Centre;

(ii) The application shall contain the details such as capacity needed, point(s) of injection, point(s) of drawal, duration of availing open access, peak load, average load and such other additional information that may be specified by the State Load Dispatch Centre;

(iii) The application shall be accompanied by a non-refundable application fee of Rupees five thousand payable in the name and in the manner to be decided by the State Load Dispatch Centre;

(iv) The reserved capacity shall not be transferred by a short-term open access user to any other person.

14. *Reservation of Capacity for Short-term Users.*— (i) In case of short-term open access users, at given point of time, if the capacity sought to be reserved is less than the available capacity, each short-term open access user shall pay the transmission or wheeling charges in accordance with Regulation 16.

(ii) In case of short-term open access, if the capacity sought to be reserved by the open access users is more than the available capacity at that point of time, reservation of capacity shall be considered in accordance with the following procedure, namely:—

(a) The State Load Dispatch Centre concerned shall invite snap bids through fax/e-mail.

(b) The floor price for the bidding shall be the price determined in accordance with Regulation 16.

(c) The bidders shall quote price in terms of percentage points above the floor price.

(d) The reservation of capacity shall be made in decreasing order of the price quoted.

(e) In case of equal price, if required (e.g., due to capacity being short), the reservation of capacity shall be made *pro rata* to the capacity sought.

(f) The open access user getting reservation for a capacity less than the capacity sought by him shall pay charges for the capacity allotted at the rate quoted by him.

(g) The State Load Dispatch Centre shall, within 45 days, formulate a detailed procedure for reservation of transmission and distribution capacity to short-term open access users, including the detailed procedure for bidding.

15. *Non-Utilization of Reserved Capacity by Short-term Open Access User.*— (i) In case a short-term open access user is unable to utilize, full or substantial part of the reserved capacity, he shall inform the State Load Dispatch Centre along with reasons for his inability to utilize the reserved capacity and may surrender the reserved capacity;

(ii) The State Load Dispatch Centre may reduce or cancel the reserved capacity of a short-term open access user when such a short-term open access user frequently under-utilizes the reserved capacity;

(iii) The short-term open access user, who has surrendered the reserved capacity under sub-regulation (i) or whose reserved capacity has been reduced or cancelled under sub-regulation (ii), shall bear the transmission/wheeling charges and the scheduling and system operation charge based on the original reserved transmission capacity for seven days or the period of reservation surrendered or reduced or cancelled, as the case may be, whichever period is shorter;

(iv) The capacity available as a result of surrender or reduction or cancellation of the reserved capacity by the State Load Dispatch Centre under sub-regulation (i) or sub-regulation (ii), may be reserved for any other short-term open access user in accordance with these regulations.

16. *Open Access Charges.*— The charges for open access shall consist of one or more of the following components, namely:—

(i) *Transmission/Distribution (Wheeling) Charges.*— The charges for use of the system of the licensee for intra-State transmission or distribution except intervening transmission facilities shall be regulated as under, namely:—

(i) The annual charges shall be determined by the Commission in accordance with the terms and conditions of tariff notified by the Commission from time to time and after deducting the adjustable revenue from the short-term open access users, these charges shall be shared by the long-term open access users;

(ii) (a) The charges payable by a short-term open access user shall be calculated in accordance with the following methodology:

$$\text{ST RATE} = 0.25 \times [\text{TSC}/\text{Av CAP}]/365$$

Where.—ST RATE is the rate for short-term open access user in Rs. per MW per day. “TSC” means the Annual Transmission/Distribution Charges of the transmission or distribution licensee for the immediately preceding financial year.

“Av CAP” means the average capacity in MW served by the system.

The capacity of the transmission licensee in the previous financial year and shall be the sum of the generating capacities connected to the transmission system and contracted capacities of other transactions handled by the system of the transmission licensee.

The capacity of the distribution licensee in the previous financial year shall be the sum of the distributed load for the licensee.

(b) The transmission charges payable by a short-term open access user in case of un-congested transmission corridor shall be levied as under, namely:—

(1) Up to 6 hours in a day in one block: $\frac{1}{4}$ th of ST RATE.

(2) More than 6 hours and up to 12 hours in a day in one block: $\frac{1}{2}$ of ST RATE.

(3) More than 12 hours and up to 24 hours in a day in one block: equal to ST RATE.

(c) Every licensee shall declare rate in Rs. per MW per day, which shall remain fixed for a period of one year:

Provided that where reservation of capacity has been done consequent to bidding in the manner specified in Regulation 6, the ST RATE shall be taken as the floor price for bidding.

(iii) 25% of the charges collected from the short-term open access users shall be retained by the open access providers (electrical lines) and the balance 75% shall be adjusted towards reduction in the charges payable by the long-term open access users (electrical lines).

(iv) The rates, charges and terms and conditions for providing the use of intervening transmission facilities may be mutually decided by the licensees:

Provided that any dispute on the extent of surplus capacity available or disagreement on the rates, charges and terms and conditions, shall be adjudicated upon by the Commission. However the rates, charges and terms and conditions shall be fair and reasonable and may be allocated in proportion to the use of such facilities.

(ii) *Cross-Subsidy Surcharge.*— In addition to transmission charges and wheeling charges, a consumer availing open access to the transmission system or the distribution network shall pay the cross-subsidy surcharge.

The open access users, except those availing open access facility to transfer power from their captive generating plants to the destination of their own use, shall pay the cross-subsidy surcharge to the distribution licensee of their area, as determined by the Commission from time to time under sub-section (2) of Section

42 of the Act, in accordance with the National Electricity Policy and Tariff Policy.

The amount of surcharge shall be so calculated as to meet the current level of cross-subsidy from that category of consumers and shall be paid to the distribution licensee of area of supply where the consumer is located. In case surcharge so calculated is negative, it shall be treated as nil.

(iii) *Additional Surcharge.*— (a) A consumer availing open access and receiving supply of electricity from a person other than the distribution licensee of his area of supply shall pay to the distribution licensee an additional surcharge, in addition to wheeling charges and cross-subsidy surcharge, to meet the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of section 42 of the Act.

(b) The additional surcharge for obligation to supply shall become payable only if it is conclusively demonstrated that the obligation of a licensee, in terms of existing power purchase commitments, has been and continues to be stranded, or there is an unavoidable obligation and incidence to bear fixed costs consequent to such contract.

(c) The distribution licensee whose consumer intends to avail open access shall submit to the Commission within thirty days of receipt of application an account of fixed cost paid by such open access user which the licensee is incurring towards his obligation to supply and demonstrate if any part of the fixed cost has become stranded.

(d) The Commission shall scrutinize the statement of accounts submitted by the licensee and obtain objections, if any, of the consumer and determine the amount of additional surcharge, if any, payable by the consumer.

(e) The additional surcharge shall be liable for such period not normally exceeding one year as the Commission may determine.

(iv) *Scheduling and System Operation Charges.*— (a) The scheduling and system operation charges payable to State Load Dispatch Centre by long-term open access users shall be same as determined by the Commission in accordance with the Regulations that may be notified by it under Section 32 of the Act.

(b) The scheduling and system operation charges of Rs. 1000/-per day or part of the day shall be paid by a short-term open access user to State Load Dispatch Centre.

(c) The scheduling and system operation charges collected by the State Load Dispatch Centre in accordance with sub-regulation (b) above shall be in addition to charges determined by the Commission under Section 32 of the Act. These will be however adjusted in the subsequent ARR of SLDC.

Explanation.— Scheduling and system operation charges shall be payable by a supplier as well as his consumer availing open access under these Regulations.

(v) *Reactive Energy Charges.*— The payment for the reactive energy charges for the open access user shall be calculated in accordance with the scheme applicable.

(vi) *Other Charges.*— In addition to the charges specified under clauses (i) to (v), any other charges as may be specified by the Commission from time to time shall be payable by the open access user.

17. *Unscheduled Interchange Charges under Intra-State Availability Based Tariff (ABT).*— The commercial settlement of Unscheduled Interchange charges (UI charges) under intra-State ABT shall be in the manner applicable for Inter-State transactions with the following additions/variations:—

Under section 9 of Electricity Act, 2003, Captive power plants are entitled for open access without payment of cross-subsidy surcharge, to carry their generation to the point of their own use. In addition to this:

(i) A generating station with a total capacity of generation up to 15 MW may operate under UI regime and inject power into the state pool and will be paid for such injection of generation into grid at the UI rate from the state pool account.

(ii) However the generating stations with a total capacity above 15 MW shall be regulated as follows according to CERC stipulations to avoid gaming:

(a) Any generation up to 105% of the declared capacity in any time block of 15 minutes and aggregated averaging up to 101% of the average declared capacity over a day shall not be construed as gaming, and the generator shall be entitled to UI charges for such excess generation above the declared capacity scheduled generation (SG).

(b) For any generation beyond the prescribed limits, the State Load Dispatch Centre shall investigate so as to ensure that there is no gaming, and if gaming is found by the State Load Dispatch Centre, the corresponding UI charges due to the generating station on account of such extra generation shall be reduced to zero and the amount shall be adjusted in UI account of beneficiaries in the ratio of their capacity share in the generating station.

(iii) A consumer opting for open access shall continue to be treated according to the rules applicable to a normal consumer in the equivalent category of the distribution licensee. Thus he will be penalized for deviating from his scheduled drawal which may be detrimental to the grid either by way of frequency or voltage of the grid. At the same time he will not be paid any UI charges for changing his schedule even if it be helpful to the grid.

18. *Security Deposit and Other Commercial Conditions.*— (i) As a payment security towards charges for open access of more than

3 months, a deposit equal to 3 months of the average billing on the basis of agreed contract demand or scheduled drawal shall be maintained with the State Transmission Utility.

(ii) As a payment security towards SLDC charges for open access of more than 3 months, a deposit equal to 3 months of the SLDC charges shall be maintained with the State Load Dispatch Centre.

(iii) As a payment security for open access of more than 3 months towards wheeling charges, surcharge and additional surcharge, a deposit equal to 3 months of average billing for these charges shall be maintained with the distribution licensee of the area of supply:

Provided that for open access less than 3 months, payment security shall be advance payment for the duration of the open access pertaining to the charges as mentioned in this Regulation in sub-regulation (i), (ii) and (iv).

(iv) such security could be in form of cash deposit, letter of credit etc. However for open access less than 3 months, such security shall be only in form of cash deposit.

(v) Other commercial conditions for transmission & wheeling charges and scheduling and system operation charges, such as, terms of payment, creditworthiness, indemnification, and force majeure conditions shall be standardized within 60 days by the State Transmission Utility for long-term open access user and by the State Load Dispatch Centre for the short-term open access users.

19. *Energy losses.*— The open access user shall bear average energy losses in the transmission system and distribution network as specified by the Commission in proportionate to its drawal. The loss in the transmission system and distribution network shall be compensated by additional injection at the injection point(s).

20. *Special Energy Meters.*— (i) The open access user shall provide ABT compatible Special Energy Meter as Main Meter capable

of time differentiated measurements (15 minutes) of active energy and voltage differentiated measurement of reactive energy as may be specified by the State Transmission Utility or the State Load Dispatch Centre which shall be according to the Metering Code as may be specified by Central Electricity Authority based on voltage, point and period of supply and tariff category.

(ii) Main meters shall always be maintained in good condition and shall be open for inspection by any person authorized by the nodal agency.

(iii) The concerned licensee may provide check meters of the same specifications as main meters.

(iv) The main and check meters shall be periodically tested and calibrated by the concerned licensee in the presence of other party involved. Main and check meters shall be sealed by both parties. Defective meter shall be replaced immediately.

(v) Reading of main and check meters shall be taken periodically at appointed day and hour by authorized officer of the concerned licensee, the generator and the open access user or his representative, as the case may be. Meter reading shall be communicated to SLDC, the open access user and the generating company or trader, as the case may be, by the distribution licensee; within 12 hours of meter reading.

(vi) Readings of the check meters shall be considered when main meters are found to be defective or stopped. Both the main meter and check meter shall be tested for accuracy if difference between the readings of main and check meters vis-a-vis main meter reading exceed twice the percentage errors permissible for relevant accuracy class. The meter found defective shall be replaced immediately.

(vii) If during the test checks or otherwise, both the main meters and the corresponding

check meters are found to be beyond permissible limits of error as per the IS specifications, both the meters shall be immediately calibrated and the correction applied to the generation of energy registered by the main meter to arrive at the correct generation of energy registered by the main meter to arrive at the correct generation of energy for billing purposes for the period of the month up to the time of such test check. Billing for the period thereafter until the next monthly meter reading shall be as per the calibrated main meter.

(viii) If an open access user requires the licensee to provide main meter it shall provide security to the licensee and shall pay for its rent. The meter shall be maintained by the licensee.

21. *Time-schedule for Processing Application for Open Access.*— As far as practicable, the following time schedule shall be adhered to by the nodal agency for processing of the application for grant of open access:

1. Short-term Open Access

Up to one week	- 2 days
More than a week	- 3 days

2. Long-term Open Access

Intimation regarding feasibility of access without system strengthening - 30 days

Intimation of results of system strengthening studies with cost estimates and completion schedule - 90 days

22. *Curtailed Priority.*— When because of transmission or distribution capacity constraints or otherwise, it becomes necessary to curtail the open access already granted, the short-term open access users shall be curtailed first, followed by the long-term open access users:

Provided that within a category, all users shall have same curtailment priority and shall be curtailed *pro rata* to the allotted capacity

in the case of long term open access users and the reserved capacity in the case of short-term open access users.

23. *Compliance of State Grid Code.*— The open access user shall abide by the State Grid Code, as applicable and instructions given by State Transmission, Utility and State Load Dispatch Centre from time to time.

24. *Collection and Disbursement of Charges.*— (a) In case of open access to consumer, the concerned distribution licensee (or the concerned transmission licensee if the consumer is directly connected to its network), may invoice a consumer in respect of the open access charges (such as Transmission Charges/Wheeling Charges/Cross Subsidy Surcharge/Additional Surcharge, as the case may be) as set out in Regulation 15 and the open access user shall pay those charges, in accordance with the procedures set out in the Bulk Capacity Agreement between the licensees and the user:

Provided that the distribution licensee and transmission licensee shall have appropriate back-to-back arrangements in place in order to pass on Open Access Charges, pertaining to the concerned Licensees.

(b) The scheduling and system operation charges in respect of open access shall be paid to the State Load Dispatch Centre by the Open Access users.

(c) The Unscheduled Interchange charges shall be paid in the manner as directed by the State Load Dispatch Centre on weekly basis.

25. *Phasing of Open Access.*— (i) Open access shall be allowed in the phase I to all consumers requiring a supply of electricity where the maximum power to be made available at any time exceeds 1 MW subject to the satisfaction of the conditions contained in the Act and these regulations:

(ii) The Commission may allow open access to consumers requiring up to 1 MW contract

demand at any time as it may consider feasible having regard to operational constraints, other factors and based on experience of operations of open access in phase I.

26. *Information System.*— The State Load Dispatch Centre shall post following information on their websites in a separate web-page titled “Open access information”:

(i) Floor rate in rupees per MW per day for the short-term open access users (ST RATE)

(ii) A status report on the current short-term open access users indicating:—

(a) Name of open access user;

(b) Period of the access granted (start date and end date);

(c) Point(s) of injection;

(d) Point(s) of drawal;

(e) Transmission/Distribution systems used (in terms of region and ownership);

(f) Reserved capacity; and

(g) Applicable rate (Rs. per MW per day).

Note: The status report shall be updated upon every change in status.

(iii) Month-wise and year-wise report on past short-term open access users indicating:

(a) Name of the open access user;

(b) Period of the access granted (start date and end date);

(c) Point(s) of injection;

(d) Point(s) of drawal;

(e) Transmission/Distribution systems used;

(f) Reserved capacity;

(g) Applicable rate (Rs. per MW per day);
and

(h) Actual load factor.

Note: All previous reports shall also be available in the web-archives.

(iv) Information regarding usage of the links between various State licensees indicating:

(a) Time of updating;

(b) Name of the link;

(c) Total capacity of the link;

(d) Scheduled capacity use (giving open access user-wise break-up); and

(e) Current capacity of the link in use.

Note: This information should be updated at least on hourly basis, and wherever feasible on 15 minute basis.

(v) The information regarding average energy losses for the previous 52 weeks:

Provided that publication of web-based information system shall commence within 180 days of coming into force of these Regulations. Each transmission/distribution licensee shall make available the above information to the SLDC.

All licensees shall declare current long-term open access users using their system (including self-use and use by unbundled entities which are presently or were previously integrated) with details thereof either on their own websites or on the website of the State Load Dispatch Centre concerned, within 180 days.

Note: This list shall be updated as and when change in status takes place.

27. *Communicating facility.*— The open access users shall meet the communication

requirements as the nodal agency may direct from time to time.

28. *Redressal Mechanism.*— (i) All disputes and complaints relating to open access shall be made to the State Load Dispatch Centre, which may investigate and endeavor to resolve the grievance within 30 days, and

(ii) Where State Load Dispatch Center is unable to resolve a grievance, State Grid Code Review Committee constituted under State Grid Code shall endeavor to resolve the grievance within 30 days, and

(iii) Where State Grid Code Review Committee has not been constituted or is unable to resolve the grievance in the time period specified above, the grievance shall be referred to the Commission,

(iv) The responsibilities assigned to the State Load Dispatch Centers for formulation of procedures, guidelines and application forms under these regulations shall be coordinated by the State Transmission Utility.

29. *Powers to Remove Difficulties.*— If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order, direct the State Transmission Utility, State Load Dispatch Centre, licensees and the open access user, to take such action, as may appear to the Commission to be necessary or expedient for removing the difficulty.

30. *Operationalisation of Open Access.*— Open access will require installation of ABT compliant metering system by the open access users, Distribution Licensee-wise Area Load Dispatch Centers and procedure for energy accounting and commercial settlement by SLDC.

J. S. SEHRAWAT, Secy.
[ADVT III/4/218-I/09-Exty.]

Department of Public Health

Notification

22/1/2003-I/PHD

The following draft rules which the Government of Goa proposes to make under the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) are hereby pre-published as required by sub-section (1) of section 18 of the said Act for information of the persons likely to be affected thereby, and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Secretary, Public Health Department, Government of Goa, Secretariat, Porvorim, before the expiry of said period of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by section 18 read with section 3 to 7, 10 and 12 of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Medical Practitioners Rules, 2010.

(2) They shall come into force from such date as the Government may, by notification in the Official Gazette, specify.

2. *Definitions.*— In these rules, unless the context otherwise requires:—

(a) 'Act' means the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004);

(b) 'clinic' means a place where one or more Medical Practitioners provide medical treatment to the Out-patients;

(c) 'Director' means the Director of Health Services, Goa;

(d) 'Form' means a form appended to these rules;

(e) 'hospital' means a place where patients are admitted as In-patients and where treatment is available for a number of ailments;

(f) 'license' means a license granted under the provisions of the Act and these rules;

(g) 'Medical Superintendent' means a person, by whatever name and designation he/she is called, who is a medical practitioner and is in-charge of, or is entrusted with the running of, a clinic, Hospital or Nursing Home;

(h) 'nursing home' means a place where the patients are admitted and where they can avail of specific speciality medical services;

(i) 'Schedule' means a Schedule appended to these rules;

Words and expressions used herein but not defined shall have the same meaning as assigned to them in the Act.

3. *Minimum Standards.*— Every private doctor/medical practitioner engaged in private practice shall conform to the minimum standards referred to in section 4 of the Act as specified in the Schedule hereto.

4. *Procedure for obtaining license.*— (1) An application for a license under section 3, 3A or section 5 of the Act or for renewal of license under section 10 of the Act, as the case may be, shall be made to the Competent Authority in Form I hereto alongwith a fee of Rs. 250/-

(Rupees Two hundred fifty only) by demand draft drawn in favour of the Director.

(2) The Competent Authority, on receipt of such application, shall make enquiry and direct the Inspecting Authority to inspect the Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory where the applicant is practicing/proposes to practice and to find out whether the applicant fulfills the minimum standards specified in the Schedule to these rules and submit to the Competent Authority its Inspection Report.

(3) On the basis of the inspection report, the Competent Authority may grant the license, or as the case may be, refuse to grant the license after recording the reasons for such refusal in writing.

(4) The license shall be granted in Form II hereto.

(5) The license granted under sub-rule (4) shall be valid for a period of five years from the date of its issue, provided that the licensee is holding or continues to hold a valid registration from the Goa Medical Council or the Goa Dental Council or the Goa Board of Indian System of Medicine and Homoeopathy, as the case may be. The Licensee shall apply for renewal of license within ninety days before the date of expiry of the license.

(6) The Competent Authority or the Inspecting Authority, at any time, on receipt of complaint or otherwise, visit a Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory with or without prior notice, and verify whether the provisions of the Act, these rules and the conditions of the license are being duly observed or not.

(7) The Inspection Report, together with the observations, if any, of the Competent Authority, shall be communicated to the concerned doctor or the Medical Superintendent as the case may be, for compliance within sixty days from the date of receipt of the same.

(8) In case of failure to comply with the observations communicated under sub-rule (7) above within the specified time, the license shall be liable to be cancelled/suspended for such period as may be specified in writing in that behalf.

5. *Manner of filling of appeal.*— Every appeal against the order of Competent Authority shall be preferred before the Appellate Authority accompanied by the order against which the appeal is being preferred and fee of Rs. 500/- (Rupees Five hundred only) by demand draft drawn in favour of the Director.

By order and in the name of the Governor of Goa.

Paula Fernandes, Under Secretary (Health-II).

Porvorim, 12th July, 2010.

SCHEDULE

(See rule 3)

(Standards to be maintained by doctor/medical practitioner engaged in practice in Medicine/ Dentistry in a clinic or in Hospital/Nursing Home/ Diagnostic Centre/Pathological Laboratory)

(I) Staff:—

(1) The Medical Practitioner shall be assisted by para-medical staff, including qualified Nurse/s and Technician/s (wherever required), with Attendants/Servants, etc.

(2) They should be free from communicable or contagious diseases and medically examined at the time of appointment and thereafter at every six months.

(3) They should wear clean clothes or identifiable uniforms.

(II) Facilities:—

The premises should include (1) A Consulting Room; (2) A Patient Room; (3) A Reception/Lobby area; (4) Equipments and Instruments of good quality and

in adequate quantity to carry out the various required tasks; (5) Beds with Mattresses and Linen; (6) Adequate number of Toilets with water facility; (7) Fully equipped Operation Theatre and Labour Room, where required; (8) Proper Method of disposal of Bio-Medical Waste as per the Rules.

(III) In case of Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory, names, addresses and license numbers of all the practicing doctors/medical practitioners including that of honorary doctors shall be displayed at conspicuous place.

(IV) Minimum standards as laid down under Trade license issued by the Municipal Corporation/Municipal Council/Village Panchayat concerned shall be maintained.

(V) In addition to above, proper hygiene and cleanliness, adequate water and power supply quality equipment/instruments, beds with mattresses and linen, shall be provided and always maintained neat and clean.

FORM I

[See rule 4 (1)]

Application for License/Renewal of License to Practice Medicine/Dentistry in a Clinic/Hospital/ Nursing Home/Diagnostic Centre/Pathological Laboratory

To
The Competent Authority,
Directorate of Health Services,
Campal, Panaji - Goa.

Sir/Madam,

I wish to apply for license(s) to practice Modern Medicine/Dentistry/Alternate Medicine in a Clinic to establish Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory.

Details of the Applicant

Name:—

Age:—

Sex:—

Qualifications:—

Specialization:—

Registration Number of Medical Council/Board:—

Name of the Medical Council/Board:—

Address of Clinic/Hospital/Nursing Home/ /Diagnostic Centre/Pathological Laboratory:—

Residential Address:—

Telephone: Fax: Mobile:

E-mail: Website:

(If applying for more than one place of practice, please give the address of each Clinic/Hospital/ /Nursing Home/Diagnostic Centre/Pathological Laboratory)–

(1)

(2)

(3)

Copies of documents to be attached to the application:—

(1) Proof of qualifications/specialization;

(2) Registration Certificate from Goa Medical Council/Goa Dental Council/Goa Board of Indian System of Homeopathy and Medicine;

(3) Trade license(s) from Municipal Corporation/ /Council/Village Panchayat concerned;

(4) Ownership documents of the Clinic/Hospital/ /Nursing Home/Diagnostic Centre/Pathological Laboratory;

(5) Fee of Rs. 250/- by demand draft drawn in favour of Director.

* I certify that the details furnished are true to the best of my knowledge.

* I agree to abide by the provisions of the Goa Medical Practitioners Act, 2004 and Rules framed thereunder.

* I undertake to inform the Competent Authority immediately in the event of any changes in the details furnished heretofore.

Signature of the Applicant:—

Date:.....

Details of the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory

FORM II

To be filled if the applicant is Owner/Co-owner/Trustee or connected with the management of Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory

[See rule 4 (4)]

Name of the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory—

License No. Dated:

License for a Clinic/Hospital/Nursing Home/
/Diagnostic Centre/Pathological Laboratory

Location: House No.: Street:
Ward No.: City/Village:

0 MODERN MEDICINE
0 DENTISTRY
0 ALTERNATE MEDICINE

Name of the Owner-

License is hereby granted to DR.
.....for running/
/establishing Clinic/Hospital/Nursing Home/
/Diagnostic Centre/Pathological Laboratory, under
the provisions of the Goa Medical Practitioners
Act, 2004 (Goa Act 9 of 2004) and the rules framed
thereunder, at the following address/es:-

Name of the Medical Superintendent/Medical Director-

Age- Sex- Qualifications-
Tel Nos. Officer - Residence-
Mobile - E-Mail ID-

(i)

Details about the Medical Practitioners attached to the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory

(ii)

(1) Name - Sex-
Age -
Qualifications-
Location-

(1) This License, unless renewed, shall be valid till.....

(2) Name - Sex-
Age -
Qualifications-
Location -

(2) The Licensee has paid the prescribed fees of Rs. 250/- by demand draft under receipt No. dated

(3) Name - Sex-
Age -
Qualifications-
Location -

(3) This License shall be displayed at the Clinic/
/Hospital/Nursing Home/Diagnostic Centre/
/Pathological Laboratory (where there is more than
one place of practice, photocopies thereof shall be
displayed at all such places.

(Please attach a separate sheet if the space provided is insufficient)

(4) The Licensee shall intimate to the Competent Authority any changes in the addresses mentioned above.

*I certify that the details furnished are true to the best of my knowledge.

(5) The Licensee shall observe and maintain the standards as specified in schedule appended to the Goa Medical Practitioners Rules, 2010.

*I agree to abide by the provisions of the Goa Medical Practitioners Act, 2004 and the Rules framed thereunder.

*I undertake that the Medical Practitioners without license under said Act SHALL NOT be allowed to attend on any patient in the Hospital/
/Nursing Home/Diagnostic Centre/Pathological Laboratory.

Competent Authority

Signature of the Medical Superintendent.....
Date:

Seal

Department of Printing & Stationery

Government Printing Press

Notification

GPS/5-14/revised Rates/995

In supersession of all earlier orders/notifications issued on this behalf the Government has revised the subscription rates of Official Gazette Series I, II & III w.e.f. 1st July, 2010 are as below:

	All 3 Series	Series I	Series II	Series III
	Rs.	Rs.	Rs.	Rs.
For any quarter	750	400	300	150
(Postage)	60	15	15	15
For half year	1500	800	600	300
(Postage)	60	30	30	30

	Rs.	Rs.	Rs.	Rs.
For any period exceeding 6 months up to one year	3000	1600	1200	600
(Postage)	110	60	60	60

The revised rates are not applicable to the subscriber, who has already paid the subscription for the whole year 2010-11. However, the revised subscription rates will be applicable to those who subscribe for the half year or quarter starting from 1st July, 2010.

By order and in the name of the Governor of Goa.

N. D. Agrawal, Director & ex officio Joint Secretary.

Panaji, 1st July, 2010.

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