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TP(R)-3/01-02 OF WBSEB

PRAYER

Before the Hon'ble West Bengal Electricity Regulatory Commission

File No _____
Case No_____

In the matter of : Petitions filed by the Dishergarh Power Supply Company Limited for revision of their tariff for the Financial Year 2000- 01 and 2001-02.

AND

In the matter of : Order dated 10th August ,2001 of the west Bengal Electricity Regulatory Commission in case no TP-3/00-01 and TP-3/01-02.

AND

In the matter of: Application under Section 47(1) and (2) of the West Bengal Electricity Regulatory Commission (Conduct of Business) Regulation, 2000 for review of the Order dated 10th August, 2001 of the West Bengal Electricity Regulatory Commission in case no TP-3/00-01 andTP-3/01-02.

AND

In the matter of : Dishergarh Power Supply Company Limited,8, Dr. Rajendra Prasad Sarani (Clive Row),Calcutta -700001

AND

In the matter of : West Bengal State Electricity Board, Vidyut Bhavan, Block-DJ, Sector- n, Bidhannagar ,Calcutta- 700091

Applicant .

Respectfully Sheweth :-

The applicant is a statutory body constituted under section S of the Electricity (Supply) Act,1948 having its Head Office at Vidyut Bhawan,Block-DJ,Sector-II, Bidhannagar, Kolkata-700091.

2. The applicant has been purchasing electricity from Dishergarh power Supply Co. Ltd. (DPSCL) at 11 KV on radial mode at different off take points for total demand of around 40 MV A to meet the power requirement of its local consumers taking supply at L&MV. Initially, the demand of these consumers were being met by different distributing licensees which were operating in the area. Those private distributing licensees used to purchase power from the DPSCL to meet the requirement of ultimate consumers taking supply at L&MV levels. Consequent upon revocation of license of those private licensees by the Govt. of West Bengal, the applicant had to shoulder the responsibilities of power supply to the ultimate consumers by way of purchase from the
DPSCL.

3. Though no formal agreement in respect of such purchase of power has been executed by the applicant and the DPSCL, the tariff chargeable to the applicant by DPSCL on account of such supply of power was decided upon by power Department , Government of West Bengal from time to time.

4. The applicant has also been supplying power to the DPSCL at 33 kV at Bankola since long time past. This supply commenced much earlier than the date of commencement of supply by DPSCL to the applicant at different off-take point.

5. Prior to April, 1995 DPSCL used to supply power to the applicant at their tariff approved by the State Govt. and the applicant used to supply power to DPSCL at Bankola at its own tariff approved by the State Government. It is only at the Instance of the State Government, since April 1995 DPSCL have been raising bills to the applicant for supply of power after off-setting power and energy they received from the applicant at Bankola and in this process the applicant has been forgoing substantial revenue.

6. DPSCL submitted their tariff petition for the year 2000-01 and 2001-02 to Hon'ble West Bengal Electricity Regulatory Commission. Both the tariff petitions were concurrently heard by the Hon'ble Commission in May, 2001 and the Order against both the petitions for 2000-01 and 2001-02 was passed by the Hon'ble Commission on 10th August, 2001.

7. In para 7.2 of the Order dated 101h August, 2001 of the Hon'ble West Bengal Electricity Regulatory Commission, it has been stipulated that the applicant will bear the cost for The loss on account of supply of power to DPSCL at Bankola which is being adjusted and not being billed because of billing being made on net quantity.

8. In para 7.8 of the order dated 10th August, 2001 of the Hon'ble Commission, it has been stipulated that the T&D loss of 1.856 million unit being 4% of the energy sold by the applicant to DPSCL (46.397 million unit) for the year 2000-01 shall be charged to the applicant by DPSCL at the rate at which power from DVC is being purchased by DPSCL.

9. The Same concept of payment of wheeling loss has been adopted by the Hon'ble Commission while deciding the tariff, of DPSCL for the year 2001-02.

10. The amount of wheeling loss to be paid by the applicant to the DPSCL for the year 2000-01 & 2001-02 have been stipulated at Rs. 49.011acs and Rs. 56.44 lacs in the tariff order passed by the Hon'ble Commission. It is relevant to mention here that supply of power of DPSCL to the applicant and that by the applicant to DPSCL at Bankola have been traditionally on radial mode. No concept of wheeling loss was ever conceived. Payment of wheeling charge/wheeling loss was not envisaged in the Govt. Order wherein it was advised that DPSCL would claim from the applicant against their power supply after setting off the power and energy supplied by the applicant to DPSCL at Bankola.

11. This is to reiterate that the applicant had to shoulder the responsibility of power supply to the ultimate consumers since 1979 only after revocation of the licenses of the different private licensees who used to supply power to the consumers by way of purchase of power from the DPSCL. Hence, question of wheeling of power of WBSEB by DPSCL from Bankola to DPSC's point of supply to the applicant and payment of wheeling loss thereof by the applicant to DPSCL at that too at DVC's tariff does not arise.

12. That the concept of wheeling does not hold good in the transaction between the applicant and DPSCL due to the fact that the applicant can reciprocally argue that it has been wheeling DPSCL's power through its system to their off-take point at Bankola for which wheeling loss is payable by DPSCL to the applicant at applicant's The loss as well as at the highest tariff at which the applicant purchases power from the different power supply agencies.

13. In this context, the applicant likes to refer to the note of dissent recorded by the Hon'ble Member (F&A) of WBERC at page 66 of the tariff order. It has been observed by the Hon'ble Member (F&A), WBERC that "However only the amount of cost of energy on account of associated The loss to be recovered from WBSEB has been determined and fixed which is also not correct and in accordance with the provisions of law".

14. Note of dissent as recorded by Hon'ble Member (F&A) WBERC at page 67 under para 2 is also very relevant and in the light what has been explained by the Hon'ble Member (F&A), the order of the Hon'ble Commission deserves a serious review-

PRAYER: -

In view of what has been mentioned herein before it is respectfully prayed that the Hon'ble Commission may be pleased :

(1) To kindly review the payment of wheeling loss by the applicant to DPSCL for c the year 2000-01 and 2001-02 as stipulated in the order dated 1otn August, 2001.

(2) To relieve the applicant from payment of any wheeling loss to DPSCL.

(3) To pass an order to continue the mode of adjustment of power and energy supplied by the applicant to DPSCL at Bankola with those being supplied by the DPSCL to the applicant as being done since April,1995 in terms of the order of the State Government.

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