



ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY COMMISSION

In Case No. SM-21/ 19-20

IN REGARD TO FILING OF APPLICATION FOR ANNUAL PERFORMANCE
REVIEW (APR) FOR THE YEAR 2018-2019

PRESENT:

SHRI SUTIRTHA BHATTACHARYA, CHAIRPERSON
SHRI DURGADAS GOSWAMI, MEMBER
SHRI PULAK KUMAR TEWARI, MEMBER

DATE: 31.03.2020

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31/3/20



FACTS IN BRIEF

1. In terms of Regulation 2.6.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 (in short 'Tariff Regulations') under Multi Year Tariff (MYT) mechanism a generating company or a licensee is required to submit an application seeking Annual Performance Review (APR) for an ensuing year by November of the immediate next ensuing year. Accordingly, all the generating companies and licensees were required to file their application for Annual Performance Review for 2018-2019 by November, 2019.
2. Vide order dated 29.11.2019 in Case No. SM-21/19-20, the Commission extended the date of filing of APR petition for the year 2018.19 by all the licensees and generating companies upto 31.03.2020 considering the fact that the tariff order for 2018-19 was under the process at that time.
3. However, the applications for determination of tariff for the sixth control period i.e. for the years 2018-2019 and 2019-2020 under MYT mechanism have been submitted by the generating companies and the licensees within the extended date of filing such application.
4. The Commission is in the process of determination of multi-year tariff of generating companies and licensees under this Commission for the sixth control period comprising of financial years 2018-19 and 2019-2020.
5. In view of the abovefact, it follows that all the generating companies and licensees under this Commission shall not be able to file their application for Annual Performance Review for 2018-2019 by 31.03.2020 i.e. the extended date

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of filing the APR petition as per the order dated 29.11.2019.

6. It would be appropriate for all the utilities under the ambit of the Commission to file such APR application for the year 2018-2019 after publication of the respective tariff orders.

COMMISSION'S DECISION AND ORDER

7. The Commission considering the extra ordinary situation stated above by invoking its inherent power conferred under regulation 8.4 of the Tariff Regulations decides to relax the provision of regulation 2.6.1 of the Tariff Regulations and directs that the APR applications for the year 2018-19 shall be submitted by the licensees and the generating companies within 3 months from the date of the respective tariff orders to be passed for the years 2018-19 and 2019-20.

Sd/-
(Pulak Kumar Tewari)
Member

Sd/-
(Durgadas Goswami)
Member

Sd/-
(Sutirtha Bhattacharya)
Chairperson

Dated : 21-03-20

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