



**ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY COMMISSION**

IN CASE NO. OA-389/21-22

IN REGARD TO THE APPLICATION SUBMITTED BY WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED (WBSEDCL) FOR ISSUANCE OF APPROPRIATE ORDER IN RESPECT OF REMOVAL OF DIFFICULTIES, FOR IMPLEMENTING MECHANISM OF CONSUMER'S PAYMENT AND LATE PAYMENT SURCHARGE (LPSC) ADJUSTMENT, AS PER REGULATION 8.10 OF WEST BENGAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF TARIFF) REGULATIONS, AS AMENDED FROM TIME TO TIME.

PRESENT:

SRI SUTIRTHA BHATTACHARYA, CHAIRPERSON

SRI DURGADAS GOSWAMI, MEMBER

SRI PULAK KUMAR TEWARI, MEMBER

DATE: 11.04.2022



Certified true Copy



सत्यमेव जयते

ISSUANCE OF APPROPRIATE ORDER FOR REMOVAL OF DIFFICULTIES, FOR IMPLEMENTING MECHANISM OF CONSUMER'S PAYMENT AND LATE PAYMENT SURCHARGE (LPSC) ADJUSTMENT, AS PER REGULATION 8.10 OF WEST BENGAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF TARIFF) REGULATIONS, AS AMENDED



Facts in brief:

1.0 West Bengal State Electricity Distribution Company Limited (WBSEDCL) has submitted an application vide letter dated 27.10.2021 for Issuance of appropriate order in respect of removal of difficulties, for implementing mechanism of consumer's payment and Late Payment Surcharge (LPSC) adjustment, as per regulation 8.10 of West Bengal Electricity Regulatory Commission (Terms And Conditions of Tariff) Regulations, as amended. The petition dated 04.01.2022 has been admitted by the Commission on 09.02.2022 in Case No. OA-389/21-22.

2.0 Brief details of the petition as submitted by WBSEDCL are as below:

- a. West Bengal State Electricity Distribution Company Limited (WBSEDCL) has quoted the Rule 5 of Electricity (Late Payment Surcharge) Rules, 2021 of Ministry of Power. The rule states that

"All payments by a distribution licensee to a generating company or a trading licensee for power procured from it or by a user of a transmission system to a transmission licensee shall be first adjusted towards Late Payment Surcharge and thereafter, towards monthly charges, starting from the longest overdue bill."

- b. WBSEDCL has proposed for introduction of payment adjustment mechanism for consumers in line with the Electricity (Late Payment Surcharge) Rules, 2021 of Ministry of Power and prayed before the Commission to pass an appropriate order for removal of difficulties as per regulation 8.10 of West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended from time to time for introduction of payment adjustment mechanism to all class of consumers with Late Payment Surcharge amount (if any) and thereafter, towards monthly bills, starting from longest overdue bill.

Observations of the Commission:

3.0 The Rule 5 of Electricity (Late Payment Surcharge) Rules, 2021 of Ministry of Power is for adjustment of Late Payment Surcharge (LPSC) paid by Distribution licensees towards generating companies and transmission licensees.





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4.0 The Commission observes that The Rule 5 of Electricity (Late Payment Surcharge) Rules, 2021 of Ministry of Power is not applicable to the LPSC adjustment between Distribution Licensee and the consumers. However, the prayer of WBSEDCL for introduction of mechanism of consumer's payment and late payment surcharge adjustment is noted and the Commission decides to consider the same appropriately while amending the Tariff Regulation under provision of Section 181 of the Electricity Act, 2003 and take suggestions / objections and comments from the stakeholders.

Order:

- 5.0 In view of the above, the Commission disposes of the application of WBSEDCL.
- 6.0 A copy of the order shall be posted on the website of the Commission.
- 7.0 WBSEDCL shall download the copy of the order from the website of the Commission and act on it. Certified copy of the order, if applied for, be given to the parties on completion of formalities laid down in the West Bengal Electricity Regulatory Commission (Conduct of Business) Regulations, 2013, as amended and on submission of necessary fees.

Sd/-
(PULAK KUMAR TEWARI)
MEMBER

Sd/-
(DURGADAS GOSWAMI)
MEMBER

Sd/-
(SUTIRTHA BHATTACHARYA)
CHAIRPERSON

Dated: 11.04.2022

Sd/-
SECRETARY



Certified true Copy