



सत्यमेव जयते



ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY COMMISSION
IN CASE NO. OA – 455 / 23 - 24

REGARDING THE MISCELLANEOUS APPLICATION SUBMITTED BY INDIA POWER CORPORATION LIMITED (“IPCL”) SEEKING CLARIFICATION FROM THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION ON THE APPLICABILITY OF REGULATION 4 OF THE WBERC (MISCELLANEOUS PROVISIONS) REGULATIONS, 2013 IN RESPECT OF SECURITY DEPOSIT TO BE MAINTAINED BY A DISTRIBUTION LICENSEE FOR PURCHASE OF POWER

PRESENT:

SHRI MALLELA VENKATESWARA RAO, CHAIRPERSON

SHRI PULAK KUMAR TEWARI, MEMBER

DATED: 04.08.2023



FACTS IN BRIEF

1. IPCL submitted an application vide letter dt. 15.05.2023 seeking clarification on the applicability of Regulation 4 of WBERC (Miscellaneous Provisions) Regulation, 2013 in respect of security deposit to be maintained by a distribution licensee for purchase of power from other licensees and/or generating company within the state.
2. The application has been admitted by the Commission.
3. IPCL has submitted that there is no provision in any regulation of the Commission regarding the quantum of security deposit required to be maintained by a distribution licensee to the licensee/generating company selling power to such licensee.
4. IPCL, therefore, seeking clarification on the applicability of Regulation 4 of WBERC (Miscellaneous Provisions) Regulations, 2013

OBSERVATION OF THE COMMISSION

5. Regulation 4 of the WBERC (Miscellaneous Provisions) Regulations 2013 specified that "Subject to the provisions of the Act, the distribution licensee may require any person to give security deposit with such licensee, for an amount covering 3 months of estimated bills of consumption of electricity at the prevailing rates. The estimated consumption shall be based on 12 months consumption of the previous period as of 1st April of each year or estimated consumption based on his application in case of the new applicant." The regulation clearly relates to consumption of electricity by a consumer which is not in case of a distribution licensee who purchase electricity



for supply in its area of supply. Thus Regulation 4 of WBERC (Miscellaneous Provisions) Regulations 2013 applicable for consumers only.

ORDER

6. In view of the above observations, the Commission finds that Regulation 4 of WBERC (Miscellaneous Provisions) Regulations, 2013 is not related to security deposit to be maintained by a Distribution licensee for purchase of power from other licensee and/or generating Company.
7. A copy of the order shall be posted on the website of the Commission.
8. IPCL shall download a copy of the order from the website of the Commission and act on it. A 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/-
(MALLELA VENKATESWARA RAO)
CHAIRPERSON

DATED: 04.08.2023

Sd/-
SECRETARY