



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

IN CASE NO. OA – 352/ 20-21

IN REGARD TO THE APPLICATION SUBMITTED BY WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED (WBSEDCL) FOR APPROPRIATE ORDER REGARDING REMOVAL OF DISPARITY IN COMPUTATION OF CAPACITY CHARGES OF THERMAL POWER STATION BETWEEN THE PROVISIONS OF THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION AND THE CENTRAL ELECTRICITY REGULATORY COMMISSION

PRESENT:

SRI SUTIRTHA BHATTACHARYA, CHAIRPERSON

SRI DURGADAS GOSWAMI, MEMBER

SRI PULAK KUMAR TEWARI, MEMBER

DATE: 31.05.2021

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Application for appropriate order regarding removal of disparity in Computation of Capacity charges of Thermal Power Station between the provisions of the West Bengal Electricity Regulatory Commission and the Central Electricity Regulatory Commission



Facts in brief:

- 1.0 The West Bengal State Electricity Distribution Company Limited (WBSEDCL) has submitted an application vide letter dated 24.12.2020 for issuance of appropriate order regarding removal of disparity in Computation of Capacity Charges of thermal power station between the provisions of the West Bengal Electricity Regulatory Commission and the Central Electricity Regulatory Commission. The application has been admitted by the Commission in Case No. OA – 352/20 - 21.
- 2.0 The application of WBSEDCL inter-alia states the following:
 - 2.1 WBSEDCL is having Power Purchase Agreement with Intra-State and Inter-State Generating Stations whose capacity charges are governed by State Tariff Regulations and Central Tariff Regulations respectively. Thus, any disparity in computation and payment of Capacity Charge of State Tariff Regulations and Central Tariff Regulations will create confusion on reasonability.
 - 2.2 In this regard, WBSEDCL has pointed out the differences for computation of capacity charges in respect of thermal power stations of the Generating Company of both State Tariff Regulation and Central Tariff Regulation.
 - 2.3 WBSEDCL further submitted that WBPDCCL has been claiming fixed cost for some of its thermal generating station under ABT above the normative level in some months, since there is no formula for computing monthly fixed cost considering the cumulative performance in line with the Central Tariff Regulations.
 - 2.4 In view of the above, WBSEDCL has prayed before the Commission to issue an appropriate order to remove disparity and amend regulation 6.11 of the State Tariff Regulation for capacity charge of power stations in line with regulation 42 of Central Tariff Regulation.

Observations of the Commission:

- 3.0 The Commission observes that the prayer of WBSEDCL requires amendment of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011 as amended and cannot be given in the form of an order with respect to the petition.
- 4.0 The Commission noted the submission made by WBSEDCL in the petition and decides to consider the same while amending the Tariff Regulation under provision of Section 181 of the Electricity Act, 2003 following the conditions of previous publication.

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Order:

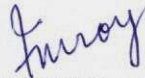
- 5.0 In view of the above, the Commission disposes of the application of WBSEDCL and directs WBSEDCL to submit their comments when the Commission invites such suggestions/ objections/ comments on the draft amendment of Tariff Regulation.
- 6.0 Let a copy of the order be served upon WBSEDCL.

Sd/-
(PULAK KUMAR TEWARI)
MEMBER

Sd/-
(DURGADAS GOSWAMI)
MEMBER

Sd/-
(SUTIRTHA BHATTACHARYA)
CHAIRPERSON

Dated: 31.05.2021


(Smt. M. GUHA ROY)
SECRETARY



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