



ORDER

OF THE

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF

CASE NO: TP(R)-29/19-20

IN REGARD TO PETITION SUBMITTED BY THE WEST BENGAL STATE
ELECTRICITY TRANSMISSION COMPANY LIMITED FOR REVIEW OF TARIFF
ORDER DATED 04.03.2015 FOR THE YEAR 2014 – 2015, 2015 – 2016 AND 2016
– 2017 IN CASE NO. TP – 60 / 13 – 14.

PRESENT:

SRI MALLELA VENKATESWARA RAO, CHAIRPERSON
SRI PULAK KUMAR TEWARI, MEMBER

DATE: 29.11.2023



CASE IN BRIEF

- 1.0 This is in regard to the application submitted by the West Bengal State Transmission Company Limited (in short 'WBSETCL') under Regulation 3.3 read with Regulation 3.10, 3.11 and 3.12 of the West Bengal Electricity Regulatory Commission (Conduct of Business) Regulations, 2013 seeking review of the Tariff Order (in short 'TO') of WBSETCL for the year 2014 – 2017 issued by the West Bengal Electricity Regulatory Commission (in short 'Commission') on 04.03.2015 in Case No. TP – 60 / 13 – 14 regarding the tariff application filed by WBSETCL for FY 2014 – 15, 2015 – 16 and 2016 – 17 and pursuant to Order dated 18.02.2019 in appeal No. 214 of 2015 passed by the Hon'ble Appellate Tribunal for Electricity.
- 2.0 In their petition, WBSETCL has stated that being aggrieved by the finding of the Commission in the MYT order for fourth control period, they filed an appeal before the Hon'ble Tribunal being Appeal No. 214 of 2015 challenging order of the Commission.
- 3.0 The Hon'ble Tribunal passed its order dated 18.02.2019, the relevant extract of the order dated 18.02.2019 issued by the Hon'ble Tribunal is excerpted below:
 - "6 In the light of the submissions of the Hon'ble counsel for the Petitioner and the Hon'ble senior counsel for the Respondent Commission, as stated supra, the instant appeal, being No. 214 of 2015, on the file of the Appellate Tribunal for Electricity, New Delhi stands disposed of reserving liberty to the Petitioner to file necessary petition, in so far it relates to the issues raised this Appeal only, before the Respondent Commission within a period of six weeks from the date of the receipt of this order.
 - 7 In the event, such petition is filed by the Appellant, the Respondent Commission is directed to consider the same and pass an appropriate order, as expeditiously as possible, in accordance with law.
 - 8 With these observations, the instant appeal filed by the Appellant on the file of the Appellate Tribunal for Electricity, New Delhi stands disposed of."



- 4.0 In their review petition, WBSETCL has stated that being aggrieved by certain disallowance of claim and findings given in the impugned order dated 04.03.2015 of the Commission, the petitioner preferred appeal under reference before the Hon'ble APTEL and filed the present review application pursuant to the order of the Hon'ble Tribunal –
- a) Allow the present Review Petition to the extent pleaded in the petition (Issues A to L);
 - b) Pass such other order or orders as it deems fit in the interest of justice and equity.
- 5.0 The issues associating the tariff order for the year 2014-2015, as highlighted by WBSETCL in their petition, for review are as follows:
- 5.1 **Erroneous calculation of Annual inflation Trend using Hybrid pricing Index methodology and ignoring the CAGR approach (Issue No-A of WBSETCL petition):**

WBSETCL's submission:

- a) The Commission has adopted a new principle of hybrid pricing index for calculating the inflation trend during the previous year, by considering both Wholesale Pricing Index (WPI) and Consumer Price Index (CPI) for the first time in the impugned order citing the examples of Central Electricity Regulatory Commission (Terms and Conditions of Tariff Regulations, 2014) without providing any reason for rejecting the CAGR (Compounded Annual Growth Rate) of past expenditures for the last 3 years period ending 2012-2013 in determining different elements of fixed cost, which was used by the Petitioner in its MYT Petition considering regulation 2.5.2.3 of Tariff Regulations, 2011.
- b) The Commission proceeded to calculate the expenditure based on estimated expenditures of 2013 – 14, and rationalize the expenditures on its own



estimation based on the assumption that they appeared to be on the extremely higher side. Further, while making calculations of projected expenditures of heads of any year under the fourth control period, the Commission took the estimated figures of expenditure for the year 2013-14, actual figures of expenditure for the year 2011-12 and 2012-13 and took the lowest non-zero least positive value out of the three periods. The Commission has erred in considering the projected expenditure of 2013-14 since the audited accounts for the year 2013-14 was available with the Commission in November 2014, i.e. before the issuance of the Tariff Order on 04.03.2015 which is unjustified.

- c) The Commission has not considered the CAGR for certain other period without specifying the cases or the heads where it was used or the rationale behind adopting CAGR and inflationary trend based on hybrid pricing index in different cases.
- d) Computation of expenditure trends on the basis of actual expenses of two years or three years on case to case basis by the Commission has led to the process of determining the ARR incorrectly since the analysis of two or three-years' data is normally insufficient to ascertain trend of expenditures, particularly when movement of price indices over such a short period is unlikely to reveal the inflationary / deflationary trend or the growth trend of expenditure due to increase in volume. With past seven years' audited accounts now available to the Commission, with APR completed till 2012-13, it is equipped with factual information to carry out a detailed analysis.
- e) CERC had arrived at calculating the inflation trend by giving 60% and 40% weightage on WPI and CPI while keeping in mind the operating expenses of recent organization Power Grid Corporation Ltd (PGCIL) with bulk of its assets are new as well as of higher voltage rating requiring less manpower and O&M expense to maintain its lines contrary to WBSETCL with bulk of transmission assets around 30 years old.



Order of the West Bengal Electricity Regulatory Commission in the matter of Case No. TP(R)-29/19-20 in regard to the application submitted by West Bengal State Electricity Transmission Company Limited for review of Tariff Order dated 04.03.2015 for the year 2014 – 2015, 2015 – 2016 and 2016 – 2017 in Case No. TP – 60 /13-14.



COMMISSION'S VIEW:

The Commission based on its own prudence has decided to adopt the methodology formulated by CERC. The application of inflation trend along with Compounded Annual Growth Rate (CAGR) to determine the O&M expense very well come within the purview of prudence check as per provision in regulation 5.7.3 of the Tariff Regulations, 2011, and same methodology has been adopted by CERC. Otherwise, the reliance solely on the CAGR to determine the O&M expense is not sustainable and the Commission has taken note of the various other factors as elaborated in the tariff order while calculating the growth in business volume.

5.2 Adoption of Hybrid Pricing Index methodology in a non-transparent manner (Issue No-B of WBSETCL petition):

WBSETCL's submission:

WBSETCL has submitted that Hybrid Pricing Index methodology has been adopted first time in the impugned Tariff Order by the Commission without putting it to notice of the petitioner which violates Section 86(3) of Electricity Act 2003 but CERC adopted the methodology by initiating consulting procedure ending with CERC Tariff Regulations, 2014 with SOR. WBSETCL has stated that Norms sought to be specified in the Tariff Order for 2014-15 to 2016-17.

COMMISSION'S VIEW:

The Commission adopted the methodology in the MYT order for 2014-15, 2015-16 and 2016-17 as provided in the provision under Section 61 of the Electricity Act, 2003.

5.3 Erroneous calculation of Annual Escalation rate based on inconsistent methodology (Issue No-C of WBSETCL petition):



Order of the West Bengal Electricity Regulatory Commission in the matter of Case No. TP(R)-29/19-20 in regard to the application submitted by West Bengal State Electricity Transmission Company Limited for review of Tariff Order dated 04.03.2015 for the year 2014 – 2015, 2015 – 2016 and 2016 – 2017 in Case No. TP – 60 /13-14.



WBSETCL's submission:

- a) WBSETCL has stated that while projecting figures for the years 2015-16 and 2016-17, the Commission has considered inflation trend from October, 2011 to September, 2014 instead of average inflation rate for last three preceding years 2011-12 to 2013-14 which is incorrect. As a result, escalation rate is coming 7.63% in Table 4.2.1-II of the impugned Order which should have been 8.27%.
- b) WBSETCL has also objected the methodology adopted by the Commission in para 4.2.1 of the Order specifically the computation of 'R' in 'Annual Escalation rate (%) for any ensuing year = $A + R \times BGR + Ad_F$ '.
- c) They have also sought logic behind considering $R=0.25$ instead of $R=0.57$ derived from calculation i.r.o Audit Fees.

COMMISSION'S VIEW:

The logic of considering $R=0.25$ instead of $R=0.57$ derived from calculation i.r.o Audit Fees is provided in p-33 of the Tariff order which is reproduced below:

For Auditors fees the escalation rate considered for past period is the estimated annual escalation rate of 2013-14 over the actual of 2012 – 2013 as because in case of larger periods there is sharp increase in the earlier part of the period which is gradually stabilizing at the rear end (towards 2013-14) of the period.

The escalation rates for both the items determined in the above method exceed the concerned inflation rate of the past period on the basis of which such escalation rate is determined. Thus the methodology followed to determine the projected expenditure of auditors fee of any ensuing year under fourth control period is in accordance with sub-paragraphs (g), (j) and (k) of paragraph 4.2.1 where the value of R is considered as 0.25 only instead of 0.57 as computed in Table – 2 of Annexure – 4A for auditors fee as the Commission feels that such fees cannot increase in such high



proportion to business volume increase as its sensitivity to business volume increase is less.

The logic behind computing inflation trend between October 2011 and September 2014 has been well explained in para (a) of page-24 of the Tariff Order.

The Commission has passed the MYT order wherein the methodology is adopted as per provisions under Section 61 of the Electricity Act, 2003. The logic behind computation of 'R' in 'Annual Escalation rate (%) for any ensuing year = $A + R \times BGR + Ad_F$ ' has been well explained in page-30 and in subsequent relevant paras of the Tariff Order. The Commission finds no merit in the submission of WBSETCL for reviewing its decision made in the MYT order for the 4th control period.

5.4 Erroneous adoption of transmission line length as sole factor for determining business volume growth (Issue No-D of WBSETCL petition):

WBSETCL's submission:

- a) New concept of projecting business volume growth has been introduced in the tariff order without any notice to the petitioner. Only transmission line length has been considered as sole parameter for judging business volume growth.
- b) Substation capacity and Substation bays are not considered by the Commission as contributor of business growth which goes against Explanatory Memorandum (para 13.5.14) of CERC to the Draft Terms and Conditions of Tariff Regulations 2014-2019.
- c) Transmission Line and MVA capacity in 30:70 ratio like CERC would give more realistic picture of business growth. Applying this philosophy on year wise MVA and Ckt KM figures from Annual reports of 2009-10 to 2013-14, business growth is worked out.



Order of the West Bengal Electricity Regulatory Commission in the matter of Case No. TP(R)-29/19-20 in regard to the application submitted by West Bengal State Electricity Transmission Company Limited for review of Tariff Order dated 04.03.2015 for the year 2014 – 2015, 2015 – 2016 and 2016 – 2017 in Case No. TP – 60 /13-14.



- d) Based on the above, average growth rate should have been 6.53% instead of 4.42% considered by the Commission.
- e) In spite of acknowledging higher weightage of O&M cost for substation compared to transmission line, the Commission has only considered transmission line length of past three years which has resulted defective projection of future growth rate.
- f) Had the proposed philosophy been adopted, based on the audited O&M expenditure from 2008-09 to 2013-14, the claimed O&M cost in MYT petition would have been admitted.

COMMISSION'S VIEW:

The Commission has applied its own prudence while deciding that the transmission line length is highly correlated with business volume.

5.5 Erroneous estimation of Base year expenses to calculate Security expense (Issue No-E of WBSETCL petition):

WBSETCL's submission:

The Commission in para 4.2.1(b) of the tariff Order [p-25] has mentioned that CPI number should be used for inflationary rate for Security expenses but actually considered hybrid index while calculating estimated figure of base year i.e 2013-14. The increase of 12.23%, considered by the Commission, over actual expenditure of Rs 1394.45 lakh on account of Security Expenses for the year 2012-13 to arrive at the estimated expenditure of Rs 1565.02 lakh is incorrect and should have been Rs 1591.63 lakh considering 14.14% (9.72% for CPI + 4.42% for Business Volume) increase.

COMMISSION'S VIEW:

WBSETCL has misinterpreted the approach taken by the Commission. The estimated figure of Rs 1565.02 lakh [Sl. No-13 of Table-1, page-59 of the Tariff



Order of the West Bengal Electricity Regulatory Commission in the matter of Case No. TP(R)-29/19-20 in regard to the application submitted by West Bengal State Electricity Transmission Company Limited for review of Tariff Order dated 04.03.2015 for the year 2014 – 2015, 2015 – 2016 and 2016 – 2017 in Case No. TP – 60 /13-14.



Order] is arrived at by the Commission considering 12.23% CAGR [Sl. No-13 of Table-2, page-60 of the Tariff Order] over actual expenditure of Rs 1394.45 lakh [Sl. No-13 of Table-1, page-59 of the Tariff Order] on account of Security Expenses for the year 2012-13. Then escalation rates of 7.96% for the year 2014-15 has been arrived at in Sl. No-13 of Table-2, page-60 of the Tariff Order by following the methodology in para 4.2.1(g) of the Tariff Order where for 'A' in 'Annual Escalation rate (%) for any ensuing year = $A + R \times BGR + Ad_F$ ', CPI number is considered instead of Hybrid number. The Commission finds no merit in the submission of WBSETCL for reviewing its decision made in the MYT order for the 4th control period.

5.6 Incorrect direction for submission of data by the Commission vide para 7.4 of the impugned order (Issue No-F of WBSETCL petition):

WBSETCL's submission:

- a) The Commission in para 7.4 the Tariff Order dated 04.03.2015, directed the petitioner to submit some audited data (while submitting APR) like Transmission Line length in CKM, number of transformers and total installed capacity of transformers in MVA, voltage wise number of bays in each sub-station and the O&M cost, penalty, fine, compensation, terminal benefits, manpower etc.
- b) Such data is sought for the first time and there are no guidelines (in regulation) for determining the actual escalation rate or physical asset additions on the basis of which past annual growth rate is to be established. However, petitioner herein will be submitting the documents, if and when required, by the Commission during the course of hearing.

COMMISSION'S VIEW:

The Commission being a regulator is entitled to discharge its duty within the meaning of 'regulator' and the Hon'ble Supreme Court in K. Ramanathan Vs-



State of Tamil Nadu and Another [Reported in (1985) 2 SCC 116] inter alia held that the word regulating is inclusive of plenary power in the entire subject. WBSETCL has been directed to submit very basic data which are supposed to have been made available to the Commission as per the Tariff Order without waiting for submitting the documents, as and when required, by the Commission during the course of hearing. Analysis based on the data will provide a better insight into the complex interaction among decision variables. As such, the Commission finds no merit in the submission of WBSETCL for reviewing its decision made in the MYT order for the 4th control period.

5.7 Double deduction of ULDC Charges (Issue No-G of WBSETCL petition):

WBSETCL's submission:

ULDC charges under the head 'SLDC (Handling Charges)' [Sl. No-17 of Annex-5A of Tariff Order] are deducted from Gross Revenue Requirement [Sl. No-13 of Annex-5A of Tariff Order]. But ULDC charges, separately mentioned by the petitioner, was not added while arriving at Gross Revenue Requirement. As a result, ULDC charges amounting Rs 1436.88 Lakh, Rs 1580.56 lakh and Rs 1738.62 lakh for the years 2014-15, 2015-16 and 2016-17 admitted by the Commission in para 4.4.7 of the Tariff Order have been deducted twice.

COMMISSION'S VIEW:

There was an inadvertent computation/posting error in the Tariff Order dated 04.03.2015. However, the Commission has already finalized the APR Orders of WBSETCL for FY 2014 – 15, 2015-16 and 2016-17 wherein the ULDC charge has been properly dealt with. Thus, the order of the Hon'ble APTEL has already been complied with.

5.8 WRONGFUL DISALLOWANCE OF RS 4471.26 LAKH RELATING TO APR FOR THE YEAR 11-12 (ISSUE NO-H OF WBSETCL PETITION)

WBSETCL's submission:



Order of the West Bengal Electricity Regulatory Commission in the matter of Case No. TP(R)-29/19-20 in regard to the application submitted by West Bengal State Electricity Transmission Company Limited for review of Tariff Order dated 04.03.2015 for the year 2014 – 2015, 2015 – 2016 and 2016 – 2017 in Case No. TP – 60 /13-14.



- a) The Commission erred in not including the amount of Rs. 4471.26 lakh being the amount allowed by the Commission in the APR order dated 09.09.2013 in case No.: APR – 32/12 – 13 by misinterpreting its APR Review Order dated 10.06.2014 in Case No. APR (R) – 4/13 – 14.
- b) Review petition was filed by the Petitioner against the Commission's order on APR for the year 2011-12 seeking additional allowances of Rs. 3817.92 lakhs over and above the amount of Rs. 4471.26 lakhs as admitted by the Commission in its APR Order dated 09.09.2013. Such additional claim was disallowed by the Commission in its Review Order without disturbing the already allowed amount of Rs. 4471.26 lakhs.
- c) However, in the impugned Tariff Order, the Commission disallowed the Rs 4471.26 lakh in para 4.12.3 which is reproduced below:

4.12.3 The recovery of APR adjustment for 2011 – 2012 for an amount of Rs. 4471.26 lakh as mentioned under serial no. 3 is not being considered by the Commission as the decision of the Commission has been given in the review order dated 10.06.2014 in case no. APR(R)-4/13-14 in respect of review of the APR order for 2011 – 2012.
- d) WBSETCL submitted to allow the Rs 4471.26 lakh as per APR Order dated 09.09.2013 and APR Review Order dated 10.06.2014.

COMMISSION'S VIEW:

The Commission in para 3.14.2 of the Tariff Order dated 04.07.2018 for the year 2017 – 18 has recorded that as per order dated 9.9.2013 of the Commission in case no. APR/32/12-13 on APR for the year 2011-12, the net amount of Rs.4471.26 Lakh is recoverable by WBSETCL and such amount remains unaltered as observed at paragraph 7.1 of its Review Order Dated 10.6.2014 in case no APR(R)-4/13/14 for review of the order dated 9.9.2013 in case no APR/32/12-13.



Finally, the Commission in para 4.3 of the Tariff Order dated 04.07.2018 for the year 2017 – 18, has adjusted Rs 4471.26 lakh with the ARR for the year 2017 – 18 at Rs 120628.16 lakh to arrive at the 'Amount recoverable through tariff for the year 2017 – 2018' at Rs 125099.42 lakh (Rs 4471.26 lakh + Rs 120628.16 lakh).

Therefore, there is no requirement to consider Rs 4471.26 lakh in the instant review petition.

5.9 Wrongful disallowance of Normative Debt (Issue No-I of WBSETCL petition):

WBSETCL's submission:

- a) Commission has incorrectly disallowed the interest on normative debt in the impugned order while comparing the cumulative borrowing during the years 2007-08 to 2012-13 with cumulative addition of asset during 2008-09 to 2012-13, in line with its APR order for 2012-13 dated 10.06.2014 in case no APR-37 / 13-14 thereby missed to consider the asset addition during 2007-08.
- b) The Commission reduced 50% of projected capital addition isolated while computing normative debt and return on equity but did not treat interlinked capital expenditure, borrowing and depreciation projections at par.

COMMISSION'S VIEW:

The Commission has not acknowledged any asset addition during 2007-08 while dealing with interest on normative borrowing in order dated 28.5.2009 of APR-2007 – 08 in respect of WBSETCL for reasons stated therein. No review petition has been filed by WBSETCL against such order of the Commission nor any appeal is filed before APTEL as per records of the Commission. In MYT order for 2014-15 to 2016-17, the Commission has considered 50% of asset addition during a year, as claimed by WBSETCL in revised form 1.20 (b) submitted with supplementary petition, both in case of Interest on normative debt and Return on



Equity. Commission considered depreciation based on asset addition as projected by WBSETCL in Form B. However, the Commission has already finalized the APR Orders of WBSETCL for FY 2014 – 15, 2015-16 and 2016-17 based on the APR petitions submitted by WBSETCL for the respective years and no inconsistency is found in the MYT order.

5.10 Erroneous Computation of Allowable Depreciation (Issue No-J of WBSETCL petition):

WBSETCL's submission:

- a) The Commission has deducted the amounts of addition to assets for the years 2014-15, 2015-16 and 2016-17 by reducing the projections of the Company by 50% but such reduction was not considered by the Commission while admitting the depreciation resulting in fictitious amount of interest credit of Rs. 256.15 lakhs, Rs.476.52 lakhs and Rs.102.45 lakhs for the years 2014-15, 2015-16 and 2016-17 respectively.
- b) The Commission ought to have made proportionate reduction in the amount of depreciation allowed in ARR of those years, since there would necessarily be a reduction in the eligibility for depreciation following decrease in the value of assets considered as capitalized in each of the years with a corresponding increase in amounts allowable as Advance against Depreciation in such years.
- c) For determination of amount of repayments eligible for consideration in calculating claim for Advance against Depreciation, if any, repayment of normative debt also needs to be considered. If repayment of normative debt in computation of claim for AAD is not considered it will result in denial of interest on the normative debt considered as repaid without ensuring that the amount of such repayment of normative debt is received back by the Company through the tariff mechanism.

COMMISSION'S VIEW



AAD is a cash comfort allowed to service actual debt and accordingly is based on actual repayment. Accordingly, AAD is not required to be reviewed linking normative debt. Moreover, the Commission has already finalized the APR Orders of WBSETCL for FY 2014 – 15, 2015-16 and 2016-17 based on the APR petitions submitted by WBSETCL for the respective years and no inconsistency found in the MYT order.

5.11 Wrongful disallowance of Tax liability (Issue No-K of WBSETCL petition):

WBSETCL's submission:

- a) The Commission has erred in considering the Petitioner to fall under the purview of Minimum Alternate Tax (MAT).
- b) However, since the unabsorbed tax depreciation having been fully adjusted against the taxable profits from the year 2014-15, the petitioner had accordingly estimated income tax liability by applying corporate tax rate in the MYT petition.

COMMISSION'S VIEW:

As per provision of regulation 5.13.1 and 5.13.2 of the Tariff Regulations, 2011, the Commission has dealt with the tax liability in the impugned tariff order. The Commission considers that the income tax paid on the basis of assessment order passed by the Income Tax Department shall be a pass through.

5.12 EMPLOYEE COST (Issue No-L of WBSETCL petition):

WBSETCL's submission:

- a) It is submitted that the Commission erred in arbitrarily reducing the expenditure projected on account of Employee Costs even while acknowledging that the manning pattern after consideration of further



- recruitments proposed to be done in 2014 – 15 onwards were within the norms prescribed by the Commission itself.
- b) It is submitted that explanation/justification for the projected recruitment could have been sought by the Commission prior to finalization of the tariff instead of resorting to such ad hoc reduction.
- c) Even though expenditure termed as 'uncontrollable' may be permitted recovery at actual on submission of justification there for during APR process, unless the anomaly is rectified immediately, realization of such shortfall of actual uncontrollable expenses shall necessarily be deferred till the recovery of APR

COMMISSION'S VIEW:

In paragraph 4.3.3 of the tariff order for WBSETCL for 2014-15, the Commission had given detailed reasoning for arriving at the Employee cost as reproduced below. As such, the Commission does not find any merit in reviewing the case.

"4.3.3 WBSETCL has considered increase in number of employees during 2013 – 2014, 2014 – 2015, 2015 – 2016 and 2016 – 2017 @ 11%, 17%, 3% and 0.6% respectively. WBSETCL has not, however, given any justification against such high increase in number of employees during 2013 – 2014 and 2014 – 2015. Moreover, as has been seen from the tables 4.2.1-III and 4.2.1-IV above, the increase in transmission line length in Ckt.KM as projected by WBSETCL is 4.42% for all the years 2013 – 2014 to 2016 – 2017. Though the number of employees as projected by WBSETCL during all the years is within the norms, but, reason for such steep increase in number of employees in 2013 – 2014 and 2014 – 2015 are not explained by WBSETCL. Thus, the increases in projected number of employees at a level of 11% and 17% for the years 2013 – 2014 and 2014 – 2015 are not acceptable to the Commission. The Commission, therefore,



Order of the West Bengal Electricity Regulatory Commission in the matter of Case No. TP(R)-29/19-20 in regard to the application submitted by West Bengal State Electricity Transmission Company Limited for review of Tariff Order dated 04.03.2015 for the year 2014 – 2015, 2015 – 2016 and 2016 – 2017 in Case No. TP – 60 /13-14.



does not consider increase in number of employees as projected by WBSETCL but considers a hike of 4.42% in employee cost annually for the years 2013 – 2014 to 2016 – 2017 against the projected increase in business volume (line length in Ckt.KM) while estimating the employee cost for the ensuing year in subsequent paragraphs"

The Commission has already finalized the APR Orders of WBSETCL for FY 2014 – 15, 2015-16 and 2016-17 based on the APR petitions submitted by WBSETCL for the respective years wherein employee cost has been passed on at actuals as an uncontrollable element.

ORDER

6.0 In view of the observations made in paragraphs 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.11 and 5.12 above the decision of the Commission in the Tariff order has been made applying prudence and in terms of applicable regulations. The decisions reached at in paragraph 5.7, 5.9 and 5.10 are inadvertent mistake/omission on the part of the commission and have already been addressed in the APR Order of WBSETCL for 2014 – 15, 2015-16 and 2016-17. So also, the observation made in paragraph 5.8 above and has already been addressed in tariff order for 2017-18 dated 04.07.2018. The Commission has reviewed its decision in compliance to the order of the Hon'ble APTEL and descended to the findings elaborated in the respective paragraphs.

7.0 Let a copy of this order be served upon WBSETCL.

Sd/-

(PULAK KUMAR TEWARI)
MEMBER

Sd/-

(MALLELA VENKATESWARA RAO)
CHAIRPERSON

DATED: 29.11.2023

Sd/-
SECRETARY