



## ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 576 (B)/2016

Petition No.: 26/2016, 27/2016,  
28/2016, 29/2016, 30/2016 & 31/2016

### ORDER SHEET

24.10.2016

Before the Assam Electricity Regulatory Commission  
ASEB Campus, Dwarandhar,  
G. S. Road, Sixth Mile, Guwahati – 781 022

M/s Eastern India Powertech Ltd. (EIPL) ----- Petitioner  
Assam Power Distribution Company Ltd. (APDCL) ----- Respondent

Date of Hearing: 24.10.2016

Counsel for Petitioner:

Mr. G. Sivasankaran, EIPL  
Mr. Ram Kumar, EIPL  
Mr. G.N.Sahewalla, Sr. Advocate, EIPL  
Mr. D. Senapati, Advocate, EIPL  
Ms. Ankita Agarwal, Advocate, EIPL

Representative for Respondent:

Mr. K Talukdar, GM (TRC), APDCL  
Mr. HM Sharma, GM, APDCL  
Mr. M Bhattacharyya, APDCL  
Mr. Avijit Roy, Advocate, APDCL

#### **In the matter of**

Petition No. 26, 27, 28, 29, 30 & 31 of 2016  
regarding Tariff Petition for FY 2009-10 to FY  
2014-15 for Banskandi Plant filed by EIPL

#### **CORAM**

Shri Naba Kr. Das, Chairperson  
Shri Dipak Chakravarty, Member  
Shri Subhash Ch. Das, Member

#### **ORDER**

1. A Hearing was held on 24.10.2016, on the following Tariff Petitions for Banskandi plant of EIPL:
  - i. Petition No.26 of 2016 for FY 2009-10
  - ii. Petition No.27 of 2016 for FY 2010-11
  - iii. Petition No.28 of 2016 for FY 2011-12
  - iv. Petition No.29 of 2016 for FY 2012-13
  - v. Petition No.30 of 2016 for FY 2013-14
  - vi. Petition No.31 of 2016 for FY 2014-15
2. In the Order dated 16.09.2016, the Commission directed EIPL to submit the required Affidavits etc as per applicable AERC Regulations for rectification of defects with regard to the Petitions filed by EIPL and to submit all the required information sought by the Commission vide its letter dated 08.09.2016 on or before 17.10.2016.
3. Thereafter, vide letter dated 18.10.2016, EIPL submitted certain information / data, partially complying with the direction of the Commission. In the said letter EIPL also requested to extend the time for filing the Petitions in a proper format till 25.10.2016 as the Petitions cannot be notarized as Hon'ble Guwahati High Court is currently closed and shall re-open on 24.10.2016.

4. After scrutiny of the EIPL's submission dated 18.10.2016, the Commission vide its letter dated 21.10.2016 communicated to EIPL that its submission is incomplete in many respect and directed EIPL to submit all the pending information / data / documents as sought by the Commission through earlier letters, Orders etc. in appropriate formats complete in all respect on or before 31.10.2016 for further proceedings in the matter to comply with the direction of the Hon'ble APTEL in the hearing dated 20.10.2016. Further, in the same letter the Commission specifically directed EIPL to submit full particulars and details of plant wise information sought by the Commission vide its letter dated 8.9.2016 and Order dated 16.9.2016, so as to reach this Commission positively on or before 31.10.2016.
5. During the hearing, the Petitioner expressed its inability to submit the plant wise audited statement of accounts, as EIPL annual account is prepared on consolidated basis for the company as a whole. However, the Petitioner stated that it will be able to submit the plant wise financial information by way of submitting plant wise cost allocation statements duly certified by the Auditor. The Petitioner stated that due to upcoming holidays there will be time constraint for submission of required information by 31.10.2016 and sought time till 5.11.2016. The Petitioner further submitted that it will be able to submit the soft copy of the all the information by 1.11.2016.
6. The Commission asked the Respondent regarding submission of comment on the Petitions and other submission of the Petitioner in the matter. The Respondent replied that it will be shortly filing its comments in the matter.
7. The Commission after hearing both the parties has ordered the following:
  - 7.1. The Commission directed the Petitioner to submit soft copy of plant wise cost allocation by 1.11.2016 and submit the same duly certified by the Auditor on or before 5.11.2016. The Petitioner was further directed to submit summary of the log sheet related to deemed generation as submitted in its reply dated 18.10.2016. All other pending information / data / documents as sought by the Commission vide letter dated 21.10.2016 have to be submitted by the Petitioner on or before 31.10.2016.
  - 7.2. The Petitioner is also directed to submit draft abridged form of the tariff Petitions, plant wise for approval of the Commission on or before 31.10.2016, for the publication in the newspaper.
  - 7.3. The Petitioner has to publish the approved abridged form of tariff in local newspapers as per the Regulations on or before 04.11.2016, with a time line for seeking responses from public/ respondents on or before 25.11.2016.
  - 7.4. The Petitioner shall have to make their submissions in response to the public / Respondent comments received and rejoinder filed on or before 30.11.2016.
  - 7.5. The Petitioner has to deposit requisite fees towards processing of the Tariff Petitions as per the Order dated 24.10.2016 on Petition No. 13/2015 on or before 15.11.2016.
  - 7.6. APDCL is directed to submit its comments on the submissions of EIPL on or before 7.11.2016.
  - 7.7. The Petitioner will make submissions as per the provisions of the Regulations of the Commission and will provide copies of their submissions on all matters to the Respondent.

The next date of hearing in this matter will be notified by the Commission subsequently.

Sd/-  
(Subhash Ch.Das)  
Member  
AERC

Sd/-  
(Dipak Chakravarty)  
Member  
AERC

Sd/-  
(Naba Kumar Das)  
Chairperson  
AERC