

# **ANNUAL PERFORMANCE REVIEW ORDER**

**(2<sup>nd</sup> MYT Control Period FY12 TO FY14)**



**FOR  
THE HIMACHAL PRADESH POWER  
TRANSMISSION CORPORATION LTD.  
(HPPTCL)**

**Himachal Pradesh Electricity Regulatory  
Commission**

**January 5<sup>th</sup>, 2013**

**BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY  
COMMISSION AT SHIMLA**

CASE NO. 128/2011

CORAM

SUBHASH CHANDER NEGI  
Chairperson

IN THE MATTER OF:-

Petition under section 62 of the Electricity Act, 2003 for Annual Performance Review of FY 2012-13 during Multi Year Tariff Control Period 2011-12 to 2013-14.

AND

IN THE MATTER OF:-

The Himachal Pradesh Power Transmission Corporation Limited (HPPTCL),  
Barowalias House, Khalini, Shimla-171002

... APPLICANT/ PETITIONER

**ORDER**

The Himachal Pradesh Power Transmission Corporation Limited (hereinafter called “the HPPTCL”) has filed as Annual Performance Review (APR) petition with the Himachal Pradesh Electricity Regulatory Commission (hereinafter referred to as “the Commission” or “HPERC”) for the revision of its Aggregate Revenue Requirement (ARR) and determination of Transmission Tariff for the Second MYT Control Period (FY12 to FY14) under Sections 62, 64 and 86 of the Electricity Act, 2003 (hereinafter referred to as “the Act”), read with the HPERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011.

The Commission, vide its Tariff Order dated 14<sup>th</sup> July, 2011 for the 2<sup>nd</sup> MYT Control Period, has already determined the ARR of the HPPTCL for each year of the Second Control Period (FY12 – FY14) under the Multi Year Tariff (MYT) regime and approved the Annual Revenue Requirement (ARR) for the Control Period duly taking into account the guidelines laid down in Section 61 of the Act, the National Electricity Policy, the National Tariff Policy and the regulations framed by the Commission.

In the Tariff Order dated 14<sup>th</sup> July, 2011 specific directions were given to the applicant HPPTCL to resolve the deficiencies that had existed in the petition No. 245/2010 and which had prevented the Commission from accurately determining the Tariff of Transmission Charges. Despite no provision of Annual Performance Review (APR) existing in the applicable Regulations, opportunity was still afforded to the applicant by the Commission by way of filing for an Annual Performance Review (APR) during the ensuing duration of the control period, with all deficiencies removed.

The Tariff Order dated 14<sup>th</sup> July, 2011, unless amended or revoked, was to continue to be in force up to 31 March, 2014. In the event of failure of the petitioner to submit the

additional details required as per the Tariff Order within six months, the Tariff Order was to cease to operate unless allowed to be continued by the Commission. Similarly in the event of failure on the part of the licensee to file Aggregate Revenue Requirement (ARR) under Part-IV and Part-V of the HPERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011, the ARR determined by the Commission was to cease to operate, unless allowed to be continued for a further period with such variations, or modifications, as may be ordered by the Commission.

The Commission, in exercise of the powers vested in it under Section 62 of the Act, hereby orders that the approved Annual Revenue Requirement (ARR) in the Tariff Order dated 14<sup>th</sup> July, 2011, shall continue to remain in force upto 31 March, 2014 without any variation or modification.

So as to come up with reasonable Transmission Charges, the Commission, in the HPERC (Determination of Transmission and Tentative Wheeling Charges under Open Access Charges) Order, 2012, dated June 26, 2012 published in the Rajpatra, Himachal Pradesh, dated 27.06.2012, had computed the Transmission Charges for the Short, Medium and Long Term Open Access Consumers. These Transmission Charges currently in force upto 31<sup>st</sup> March, 2013, shall be the Transmission Tariff to be charged by the STU or the HPPTCL and shall continue to be in force upto 31<sup>st</sup> March, 2014, concurrent to the Approved Annual Revenue Requirement (ARR) and without any variation or modification.

The Commission, after having heard the applicant, stakeholders and the Consumer Representative on November 06, 2012 at Shimla, and after having had formal interactions with the officers of the HPPTCL and after having considered the documents available on record, herewith accepts the application with modifications, conditions and directions specified in the following Tariff Order. The Commission further directs the publication of the tariff in two leading newspapers, one in Hindi and the other in English, having wide circulation in the State within 7 days of the issue of this Tariff Order. The publication shall include a general description of the tariff changes and its effect on the various classes of consumers.

Shimla  
Dated: 5<sup>th</sup> January, 2013

(Subhash Chander Negi)  
Chairman

## A1: BACKGROUND

- 1.1 The Commission, in Table 23 under paragraph 5.30 of its Tariff Order dated July 14, 2011 for the HPPTCL, had approved the following Annual Revenue Requirement (ARR) for each year of the 2<sup>nd</sup> MYT Control Period:-

**Approved ARR of HPPTCL for the Control Period (Rs. Cr) [Table 23]**

<b>Particulars</b>	<b>FY12</b>	<b>FY13</b>	<b>FY14</b>
Operation & Maintenance Expenses	5.70	6.18	6.69
Interest & Financing Charges	0.66	0.51	0.39
Interest on Working Capital	0.33	0.34	0.35
Depreciation	5.02	5.02	4.49
<b>Aggregate Revenue Requirement</b>	<b>11.71</b>	<b>12.05</b>	<b>11.92</b>

- 1.2 The Tariff Order dated July 14, 2011, being based on a deficient petition No. 245/2010, was supplemented with certain suggestions, advisories and directions given to the petitioner HPPTCL. These are summarized as follows:-

- (a) In paragraph 4.4 of the Order, it was suggested by the Commission to the HPPTCL that basin wise sub-plan on evacuation system from SHPs be prepared and notified for the information of the developers.
- (b) In paragraph 4.5 of the Order, the Commission advised the HPPTCL to prepare a CAPEX plan and approach the appropriate Commission for its approval.
- (c) It was also suggested that in order to secure its investment, the HPPTCL was required to issue letters to all the IPPs asking them to enter into agreements of the nature of either PPAs or of open access as per the provisions of the existing HPERC Regulations.
- (d) That despite the Agreement dated 20.11.2010 between the petitioner and the HPSEBL for the O&M of transferred transmission lines, in paragraph 5.8 of the Order, the Commission had directed the Petitioner to mutually work out the O&M expenses payable to the HPSEBL and submit the same alongwith the first APR. In accordance with paragraph 5.13 of the Order, these charges to be mutually worked out between the petitioner and the HPSEBL, were to be in the shape and form of an Agreement between the petitioner and the HPSEBL.
- (e) The Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011 provide that the baseline values (operating and cost parameters) for the base year of the Control Period shall be based on the latest audited accounts, estimate of the actual for the relevant year, prudence check and other factors considered appropriate by the Commission. In paragraph 5.11 of the Order the Commission had clarified that all expense projections and the trajectory for the Control Period may be revised by the Commission as and when the audited accounts for FY11 are made available. This was reiterated by the Commission in paragraph 5.33 of the Order wherein the Petitioner was directed to file the base line data for FY11 alongwith the first APR.
- (f) In paragraph 5.31 of the Order, the Commission had informed the Petitioner HPPTCL, that in accordance with Regulation 33(1) of Himachal Pradesh Electricity Regulatory Commission (Terms and

Conditions for Determination of Transmission Tariff) Regulation, 2011, the transmission charges are to be shared between the long and medium term consumers based on the allotted transmission capacity and contracted capacity and that as the Petitioner had not entered into a transmission service agreement (TSA) with the HPSEBL and/or any other user, therefore, the Commission was unable to determine the transmission tariff and the same would be determined as and when the TSA is executed by the Petitioner. The Petitioner was accordingly directed to expedite signing of the requisite agreements.

- (g) In paragraph 5.32 of the Order, the Commission had informed the petitioner HPPTCL, that various liabilities pertaining to the lines transferred to the HPPTCL had not been transferred to the HPPTCL and that till such time these liabilities are actually transferred to the HPPTCL and it starts discharging the same independently, the Petitioner shall make available under the relevant components of the ARR to the transferor (HPSEBL) who is actually discharging these liabilities pending final settlement of the accounts etc. The Petitioner may however start billing on the basis of the approved ARR.
- (h) In paragraph 5.33 of the Order, the Commission had informed that the Petitioner has assumed transmission losses on its system as 2% but had not provided details of the same. The transmission losses on the Petitioner's system are hitherto being borne by the HPSEBL under its composite system. The targeted losses for the HPSEBL's system shall therefore have to be correspondingly reduced to the extent of losses on the Petitioner's system. The Petitioner was accordingly directed to mutually agree with the HPSEBL on the mechanism for determination of transmission losses and submit the same for approval of the Commission.

## **A2: SUMMARY OF PETITION ON ANNUAL REVENUE REQUIREMENT (ARR) AND TARIFF FILED BY THE HPPTCL:**

- 2.1 The HPPTCL filed the APR petition in the Commission on date 01.12.2011
- 2.2 The Commission vide its letter Nos. 3030 dated 28.12.2011 and 2179-80 dated 07.07.2012, forwarded scrutiny notes to the HPPTCL indicating deficiencies in the petition and connected applications.
- 2.3 In response to the Commission's scrutiny notes, various submissions were made by the HPPTCL vide MA No. 18/2012 dated 13.02.2012, MA No. 120/2012, and MA No.129/2012 dated 30.08.2012.

### **Summary of the HPPTCL Petition:**

- 2.4 The O&M Expenditure comprising Employee's Cost, R&M Cost and A&G Expenditure have been petitioned as under:-

(Rs. Cr.)			
<b>O&amp;M Expenditure</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>
	<b>Actual</b>	<b>Revised Estimates</b>	<b>Projected</b>
Employee Cost	4.56	6.14	7.13
R&M Cost	1.81	1.90	2.19

<b>O&amp;M Expenditure</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>
	<b>Actual</b>	<b>Revised Estimates</b>	<b>Projected</b>
A&G Expenditure	1.83	4.10	4.31
<b>Total O&amp;M Expenditure</b>	<b>8.20</b>	<b>12.41</b>	<b>13.62</b>

2.5 As per the capital expenditure plan of the HPPTCL for the FY 11-12 no new assets will be capitalised but in FY 12-13 out of a total CAPEX of Rs. 348.65 Crore, projects to the tune of Rs. 128.5 Crore will be capitalised. Accordingly, the projections of Depreciation are as follows:-

(Rs. Cr.)

<b>Depreciation Schedule</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>
	<b>Actual</b>	<b>Revised Estimates</b>	<b>Projected</b>
GFA Opening Block	1,99.07	1,99.46	199.46
GFA Closing Block	1,99.46	199.46	328.16
Depreciation During the year	4.98	4.99	6.60

2.6 The HPPTCL has informed that the interest liability has increased during the last two years of the control period. This increase is due to large amount of capitalization of assets during these two years. The details of the interest charges for new loans to be availed for financing upcoming new liabilities are as follows:-

(Rs. Cr.)

<b>Interest Cost</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>
	<b>Actual</b>	<b>Revised Estimates</b>	<b>Projected</b>
Opening Loan	7.66	6.38	5.10
Loan for additional Capex	0.00	0.00	285.73
Loan Repayment	1.28	1.28	46.53
Closing Loan	6.38	5.10	244.30
Interest Cost on Avg. Loans	0.81	0.66	14.34

2.7 The HPPTCL has informed that in accordance with the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) Regulation 2011, working capital requirement has been computed considering Interest rate at SBI Prime Lending Rate as on 1st April of the respective year of 14.75% for FY 11-12 and FY 12-13.

(Rs. Cr.)

<b>Particulars</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>
	<b>Actual</b>	<b>Revised Estimates</b>	<b>Projected</b>
Two months of receivables	2.35	4.77	8.18
1/12th of O&M expenses	0.68	1.01	1.14
Maintenance spares at 40% of R&M of one month	0.0603	0.0634	0.0729

Total Working Capital requirement	<b>3.09</b>	<b>5.84</b>	<b>9.39</b>
Interest on Working Capital	<b>0.36</b>	<b>0.86</b>	<b>1.39</b>

2.8 The summary of year-wise ARR petitioned by the HPPTCL is as follows:-

(Rs. Cr.)

S. No.	Particulars	FY11	FY 12	FY 13
a)	O&M expense	8.20	12.14	13.62
b)	Depreciation	4.98	4.99	6.60
c)	Interest cost on long terms capital loans	0.81	0.66	14.34
d)	Interest on working capital loans	0.36	0.86	1.39
e)	Return on Equity	--	11.58	15.32
	Less:			
f)	Non-Tariff Income		0.92	0.97
	<b>Aggregate Revenue Requirement</b>	<b>14.35</b>	<b>29.31</b>	<b>50.30</b>

2.9 For computing the Transmission Tariff, the HPPTCL has considered the following Contracted Capacity on the Transmission System:-

	FY12	FY13
Transmission Capacity (MW)	987	1247

2.10 In view of the above considered Contracted Transmission Capacity, the HPPTCL has petitioned the following Tariff of Transmission Charges:-

	FY12	FY13
Aggregate Revenue Requirement (ARR) (in Rs. crores)	29.31	50.30
Transmission Capacity (in MW)	987	1247
<b>Transmission Charges (in Rs. / MW/Month)</b>	<b>24749</b>	<b>33614</b>
<b>Transmission Charges (in Rs. / Kwh)</b>	<b>0.0865</b>	<b>0.1175</b>

### **A3: PUBLIC DISCLOSURE, OBJECTIONS / SUGGESTIONS & PUBLIC HEARING:**

3.1 Vide Commission's Interim Order dated 7<sup>th</sup> August, 2012, the Petition was admitted and the petitioner was directed to publish the salient features of the petition in two leading newspapers.

3.2 The HPPTCL made the publication in the newspapers 'The Tribune' and 'Amar Ujala' on 25<sup>th</sup> August, 2012 and 28<sup>th</sup> August, 2012.

3.3 Notice Inviting Objections / Suggestions, was also published by the Commission in the newspapers 'The Tribune' and 'Amar Ujala' on 29<sup>th</sup> August, 2012, wherein the date for receiving objections and suggestions from stakeholders was fixed for 27.09.2012, the date for receiving replies from respondents was fixed for 08.10.2012 and the date for receiving rejoinders on the filed replies was fixed for 15.10.2012

3.4 Sh PN Bhardwaj, Consumer Representative, submitted on 28.09.2012 written objections/suggestions on the HPPTCL petition to the Commission. The HPSEBL, vide MA No. 149/2012 dated 01.10.2012, filed its objections / suggestions on the petition.

- 3.5 The HPPTCL, vide MA No. 153/2012 and MA No. 154/2012 respectively, filed replies to the aforementioned objections/suggestions on date 11.10.2012.
- 3.6 No rejoinders were filed by the objectors.
- 3.7 The HPERC vide Public Notice in 'The Tribune' and 'Amar Ujala' dated 19.10.2012 fixed the date of Public Hearing as 6<sup>th</sup> November, 2012.

### **Objections / Suggestions, Replies and Commission's Views**

#### **3.8 Objection / Suggestion by Sh PN Bhardwaj:**

##### **(a) CAPEX Plan:**

In the CAPEX plan submitted by the HPPTCL; the present status of the projects under execution alongwith cost revision; if any, has not been submitted. The cost benefit analysis and the operational efficiencies projected for the works to be executed has not been specified. The HPPTCL has not submitted any plan for providing Reactive Power Compensation devices in its CAPEX Plan. Due importance needs to be given to timely execution of the works and cost overruns need to be avoided.

##### **(b) Revised ARR:**

The revised estimate of A&G expenses for FY12 and the projected figures for FY13 & FY14 show a huge jump over the actual expenditure for the base year (FY11) and far exceed the approved expenditure. Since A&G expenses are a controllable parameter; the revised expenses should not be passed through.

In other components of ARR such as interest and depreciation; there is a huge jump as compared to the base year figures. This is against the spirit of the regulations in force.

The Commission in its order of 14th July 2011 has observed that there is no equity. The present claim of return on equity based on presumed equity of 30% of GFA, should therefore not be passed through.

##### **(c) Transmission Tariff Determination**

The HPPTCL has shown phenomenal increase in the proposed tariff from FY12 to FY14 without much increase in its transmission capacity and thus burdening the consumers with its inefficiencies. The authenticity of the claims of the HPPTCL needs to be ascertained.

##### **(d) Transmission Losses**

With the same level of energy handled; there has been phenomenal increase in the losses in FY10 and FY11. The losses indicated at 220kV level are very high and even higher than the loss levels at 132kV and 66kV. These figures, therefore, need to be ascertained.

##### **(e) EHV Tripping/ Outage**

The number of outages indicate utter disregard to the quality of supply by the HPPTCL.

#### **3.9 Reply by HPPTCL on Objection / Suggestion filed by Sh PN Bhardwaj:**

(a) **CAPEX Plan:**

For those works to be completed during FY13, the HPPTCL has submitted the completion schedule. There is no cost over-run in any of the works under execution. All transmission lines coming up during next few years are short lines and do not require Reactive Power Compensation. The system studies will be carried out and Reactive Power Compensation will be provided in future as per requirement.

(b) **Revised ARR:**

Actual A&G expenses for the FY12 alongwith the revised estimates for the control period have been submitted.

The other components of ARR such as interest and depreciation; have been revised for the control period as per the new capitalization schedule according to revised commissioning schedules of the lines.

ROE at the rate of 30% has been considered and claimed on the transmission lines transferred to the HPPTCL by the HPSEBL.

(c) **Transmission Tariff Determination**

Capacity addition of 15.5 MW and 81 MW will be achieved during FY13 and FY14 respectively on the basis of which the transmission tariff has been proposed.

(d) **Transmission Losses**

Assets with the HPPTCL comprise only the lines transferred from the HPSEBL and that the originating/ terminating substations having metering arrangements are with the HPSEBL. Therefore the transmission losses are being computed by the HPSEBL and that it is these losses that have been submitted by the HPPTCL.

(e) **EHV Tripping/ Outage**

Some of the trippings are contributed by the faults in the sub-transmission and distribution network of the HPSEBL.

3.10 **Objection / Suggestion by the HPSEBL:**

(a) **A&G Expenses**

The HPPTCL has not taken in to account the licence fee for transmission business amounting to Rs. 1 crore in its APR Petition. This fee has to be paid by the HPPTCL for being the State Transmission Utility for HP as notified by the GoHP.

Further the HPPTCL may be requested to furnish the actual expenditure for FY12 and FY13 (5 months) in accordance with the Commission's Order dated 14th July 2011.

(b) **Return on Equity**

The Commission in its order of 14th July 2011 has observed that there is no equity. The present claim of return on equity based on presumed equity of 30% of GFA, without giving any rationale/ source of funds should therefore not be passed through especially for the assets transferred by the HPSEBL as there has been no book transfer of equity for these assets.

(c) **Tariff Determination**

The HPPTCL has mentioned a capacity addition of 280 MW during FY13 on account of commissioning of new transmission lines. The capacity figure of 1247 MW for FY13 is not in line with the capacity of 987 stated for FY12 and capacity addition of 280 MW during FY13.

The HPPTCL has shown transmission capacity of 987 MW for FY12 and 1247 MW for FY13 which is not in line with the Transmission Service Agreement entered with the HPSEB Ltd. for contracted power of 560 MW.

The HPPTCL has worked out the tariff by considering the transmission capacity at load factor of 40% which needs examination vis-à-vis congestion during transmission of present power entitlements of the HPSEB Ltd. as well as its impact on the transmission tariff.

3.11 **Reply by HPPTCL on Objection / Suggestion filed by the HPSEBL:**

(a) **A&G Expenses**

Licence fee for transmission business amounting to Rs. 1 crore has been taken into account in the first APR Petition (MYT petition). Details of actual A&G expenses incurred during FY12 have been submitted.

(b) **Return on Equity**

ROE at the rate of 30% on the lines transferred to it by the HPSEBL has been claimed as per the regulations.

(c) **Tariff Determination**

As per revised estimates a capacity addition of only 15.5 MW is proposed during FY13. The capacity of 987 MW was ascertained with the HPSEBL. As per the suggestion of the HPSEBL, the TSA for 560 MW was signed on the basis of maximum power flow. If permitted by the Commission, the HPPTCL is willing to revise the load factor from 40% to 100% and also revise the existing transmission capacity from 987 MW to 560 MW as suggested by the HPSEBL.

3.12 **Commission's Views on Objection / Suggestions filed:**

The A&G Expenses are controllable parameters and are subject to true up at the end of the control period as per the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011. Return on Equity (RoE) is considered by the Commission only when Equity is infused into investments. The source of such Equity is required to be shown by the Tariff applicant and is also ascertained by the Commission. The transmission tariff is a dependent variable of the Annual Revenue Requirement (ARR in Crore rupees.) and the Transmission Capacity (in MW). The charging of Transmission Capacity on the other hand depends on the Transmission Users (such as the Distribution Licensee, Government (on account of free power from various projects), IPPs and other transmission consumers) and their respective transmission capacities contracted with the transmission licensee or the STU. Till such time the STU does not pro actively undertake the execution of mutual Agreements of TSA with all users, the recovery of the ARR from the respective users would continue to raise objections and disputes.

#### **A4: COMMISSION'S OBSERVATIONS ON THE HPPTCL APR PETITION:**

4.1 In accordance with the HPERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011, no provisions exist for Annual Performance Review (APR). In the HPERC Multi Year Order dated 14/07/2011 for the 2nd MYT Control Period for the HPPTCL, Commission had imparted directions to the HPPTCL which have been highlighted in Chapter A1 "BACKGROUND" of this Order. These directions were issued to the petitioner / applicant for having submitted a deficient petition that precluded the Commission from determining the ARR accurately at that time. This had further prevented the Commission from determining the Transmission Charges/ tariff then. This was the reason that opportunity was given to the petitioner to remove the deficiencies and re-submit the petition in the shape of an Annual Performance Review (APR).

4.2 The HPPTCL has complied with directions of the Commission in the present filing as follows:-

- (a) As per paragraphs 1.2(a) and 1.2(b) of this Order, CAPEX Plan, basin-wise showing year-wise for the control period source of funding alongwith actual expenditure for FY12 and proposed for the control period, has been submitted by the petitioner.
- (b) As per paragraphs 1.2(d) of this Order, in the form of an Agreement between the petitioner and the HPSEBL in respect of O&M Charges to be paid by the petitioner to the HPSEBL has not been executed. This was also pointed out by the Commission in its Interim Order dated 06.11.2012.
- (c) As per paragraphs 1.2(e) of this Order, Audited Accounts for FY 11 have been submitted by the petitioner.
- (d) As per paragraphs 1.2(f) of this Order, with respect to TSA to be executed between the HPPTCL and the HPSEBL and between the HPPTCL and other users, the HPPTCL has entered into a Transmission Service Agreement (TSA) dated 10.02.2012 only with the HPSEBL for a contracted capacity based on maximum power flow of 560 MW and not with other users such as Government (on account of free power from various projects).
- (e) As per paragraphs 1.2(g) of this Order, transfer of various liabilities and assets (i.e. final settlement of accounts) pertaining to the lines transferred to the HPPTCL from the HPSEBL has not taken place. This was also pointed out by the Commission in its Interim Order dated 06.11.2012.
- (f) As per paragraphs 1.2(h), the Petitioner has not entered into a mutual agreement with the HPSEBL on the mechanism for determination of transmission losses. This was also pointed out by the Commission in its Interim Order dated 01.12.2012.
- (g) In view of above, the Commission is inclined to feel that most of the directions as given by the Commission in its Order dated 14.07.2011 as shown in paragraphs 4.2(b), (d), (e) and (f), have not been complied. Had these been complied, it would certainly have benefited the petitioner. An opportunity to the petitioner HPPTCL has been given to file a petition in the shape of an APR which has not been taken full advantage of by the HPPTCL.

- (h) The Commission also feels that revising the ARR on the deficient petition filed before it, is most likely to result in a situation akin to that which existed at the time of MYT Order dated 14.07.2011.
- (i) The Commission has also issued the HPERC (Determination of Transmission and Tentative Wheeling Charges under Open Access Charges) Order, 2012 dated June 26, 2012 published in the Rajpatra Himachal Pradesh dated 27.06.2012, wherein the Transmission Charges for the Short Term Open Access consumers were determined @ 2.15 paise per unit, Medium and Long Term Open Access consumers have been determined as Rs 11157/MW/month.

The Commission therefore now, Orders that Transmission Charges given in the HPERC (Determination of Transmission and Tentative Wheeling Charges under Open Access Charges) Order, 2012 dated June 26, 2012 published in the Rajpatra, Himachal Pradesh, dated 27.06.2012, currently in force upto 31st March, 2013, shall be the transmission tariff to be charged by the STU or the HPPTCL and shall continue to be in force upto 31 March, 2014, concurrent to the Approved Annual Revenue Requirement (ARR) and without any variation or modification.

In view of aforesaid, the APR petition filed by the HPPTCL is accordingly disposed.