

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION  
SHIMLA

NOTIFICATION

No. HPERC/Gen/479-

Dated. 30<sup>th</sup> July, 2011

WHEREAS the Himachal Pradesh Electricity Regulatory Commission, to determine the tariff, in accordance with the provisions of sections 61, 62 and 86 of the Electricity Act, 2003 (Act No. 36 of 2003), for supply of electricity by a generating Company to a distribution licensee; and regulation 11 of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for determination of Hydro Generation Tariff) Regulations, 2011, framed thereunder provides that the capital cost of a project has to be determined on the basis of the actual expenditure incurred on the completion of the project and the Capital Cost admitted by the Commission, after prudence check, is to form the basis for determination of tariff;

AND WHEREAS the said regulations do not specify any benchmark norms for prudence check of the Capital Cost, and it may take considerable time for the Commission to specify its own benchmark norms for prudence check of the Capital Cost of the projects;

AND WHEREAS the Central Electricity Authority has laid down 'Guidelines for formulation of DPR for Hydro Electric Schemes, their Acceptance and Examination for Concurrence' where in certain benchmarks have been done;

AND WHEREAS for the effective implementation of the provisions of the said Act and the regulations framed thereunder, it has become necessary to provide that where benchmark norms have not been laid down, the prudence check may be carried based on the benchmark norms/guidelines issued by the Central Electricity Authority;

NOW THEREFORE, in exercise of the powers conferred by clauses (zd), (ze) and (zf) of sub-section (2) of section 181 read with sections 61, 62 and 86, of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, and

after previous publication, the Himachal Pradesh Electricity Regulatory Commission makes the following regulations further to amend the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2011, published in the Rajpatra, Himachal Pradesh, dated 2nd April, 2011 namely:-

## **REGULATIONS**

**1. Short title and commencement-** (1) These regulations shall be called the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) (First Amendment) Regulations, 2011.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

**2. Amendment of regulation 11. -** In sub-regulation (2) of regulation 11 of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2011

(a) the following first proviso shall be inserted; namely:-

“Provided that prudence check of capital cost may be carried out based on the benchmark norms to be laid down by the Commission from time to time; and

(b) in the existing first proviso, for the words “Provided that in cases where benchmark norms have not been specified,” the words “Provided further that in case where benchmark norms have not been laid down, the prudence check may be carried out based on the benchmark norms/guidelines laid down by the Central Electricity Authority and” shall be substituted.

By the order of the Commission

Sd/-  
Secretary