

BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION

Vidyut Aayog Bhawan, Block No. 37, SDA Complex, Kasumpti, Shimla-09

**CORAM: Sh. Devendra Kumar Sharma, Chairman
Sh. Yashwant Singh Chogal, Member(Law)
Sh. Shashi Kant Joshi, Member**

Date of Order: 30.08.2024

In the matter of finalization of the Himachal Pradesh Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch Centre) (Third Amendment) Regulations, 2024.

ORDER

The Himachal Pradesh Electricity Regulatory Commission (hereinafter referred as “the Commission”) notified the Himachal Pradesh Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch Centre) Regulations, 2011, which were published in the Rajpatra, Himachal Pradesh, dated 2nd June, 2011 (hereinafter referred to as the “Principal Regulations”) and also notified the first and second amendments thereof on 01st November, 2013 and 22nd November, 2018 as published in Rajpatra, Himachal Pradesh on 5th November, 2013 and 27th November, 2018 respectively.

2. The Central Electricity Regulatory Commission (CERC for short) has also notified the Central Electricity Commission (Fees and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2019 and Central Electricity Regulatory Commission (Fees and Charges of Regional Load Despatch Centre and other Related Matters) Regulations, 2024, wherein changes have been made in the depreciation Schedule.

3. Taking into consideration, certain provisions of the existing Regulations are required to be amended so as to make the SLDC more effective in handling their operation, the Commission considered it expedient to make suitable amendments in the said Regulations to address the matters of fee and charges and certain other provisions.

4. Accordingly, the Commission published the draft amendment Regulations i.e. Himachal Pradesh Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch Centre) (Third Amendment) Regulations, 2024 on 8th July, 2024 in Rajpatra, Himachal Pradesh in exercise of the powers, conferred under sub-section (1) of Section 181 of the Electricity Act, 2003 (36 of 2003) (hereinafter referred to as the “Act”).

5. As required under sub-section (3) of the Section 181 of the Act read with rule (3) of the Electricity (Procedure of Previous Publication) Rules, 2005, the Commission invited public objections and suggestions by way of insertions in two News papers i.e. “Hindustan Times” and “Amar Ujala” on 11th July, 2024. The full text of the draft amendment Regulations was also made available on the Commission’s website: www.hperc.org.

6. The Commission, vide letter dated 29.07.2024, had also requested the major stakeholders, including the Industries Associations, State Government, Directorate of Energy, HIMURJA, Consumers Representative and Distribution Licensee to send their objections/suggestions as per the aforesaid public notice, on or before 07.08.2024;

7. The HP State Load Despatch Centre (HPSLDC) has filed written submissions, which have been taken on record. No other suggestions were received.

8. A public hearing in the matter was held on 16.08.2024. The list of participants who attended the public hearing is annexed as **Annexure-“A”**;

9. The public hearing was attended by the representatives of Himachal Pradesh State Electricity Board and the HPSLDC. The submissions made by the HPSLDC have been considered in the subsequent para.

10. Consideration of written submissions by the stakeholder(s) and Commission’s analysis/views thereon.-

The HPSLDC has proposed certain amendments (other than the amendments proposed by the Commission), for consideration, in its comments as follows:

Regulation 3(26).- “**user**” means **each / individual generating** stations owned by the **generating companies and distribution licensees**, buyers, sellers, open access consumers and distribution licensees, as the case may be, who use the intra—State transmission network or the associated facilities and services of the State Load Despatch Centre;

Regulation 29(4).- The State Load Despatch Centre charges shall be payable monthly by the licensees, generating companies (including captive generating plants), distribution licensees and trading licensees using the intra-State transmission network under any agreement or arrangement with the transmission licensee in proportion to the capacity contracted in the **following proportion of ARR of the State Load Despatch Centre**:

Transmission licensees:	20% of monthly ARR of the SLDC
Distribution licensees:	50% of monthly ARR of the SLDC
Generating Companies (including captive generating plants)and buyers	30% of monthly ARR of the SLDC

The monthly SLDC charge payable by the Generating companies and buyers will be proportionate on the basis of their contracted capacity. No other suggestions /objections have been filed.

Commission views

The Commission has examined and analyzed the suggestions and amendments proposed by the HPSLDC. The Commission is of the opinion that the provisions contained in the existing Regulations are sufficient and complete in itself and do not require to be amended, as proposed, at this stage. The Commission is of the firm view that any tendency to statically fixing %age ARR recovery shall defeat the purpose of Regulations, as Regulation 29(4) stipulates recovery of charges from all customers in proportion of capacity contracted.

Since no other suggestions/ comments have been made nor any issue has been addressed during the Public hearing, the Commission concludes that the amendments as proposed in the Draft are necessary so as to make the SLDC more effective in handling its operations smoothly. Hence, the draft amendment Regulations are hereby finalized and approved as such without any change and be notified accordingly.

Sd/-
(Shashi Kant Joshi)
Member

Sd/-
(Yashwant Singh Chogal)
Member (Law)

Sd/-
(Devendra Kumar Sharma)
Chairman

Announced

30.08. 2024

Annexure-“A”

Sr. No.	Participants
1	Shivam Dhiman , HPSEBL
2	Er. Ravinder Kumar, HPSLDC
3	Er. Rohit Kumar, HPSLDC