

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA**

**CORAM**

**Sh. Devendra Kumar Sharma**

**Chairman**

**Sh. Bhanu Pratap Singh**

**Member**

**Sh. Yashwant Singh Chogal**

**Member (Law)**

**(Dated: 21.07.2022)**

**In the matter of**

**Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (12<sup>th</sup> Amendment) Regulations, 2022.**

**ORDER**

The Himachal Pradesh Electricity Regulatory Commission (hereinafter referred as “the Commission”) issued the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (12<sup>th</sup> Amendment) Regulations, 2022 on 20<sup>th</sup> May, 2022 and the same were published in the Rajpatra, Himachal Pradesh on 21<sup>st</sup> May, 2022. These regulations have hereinafter jointly referred to as “the said regulations”.

2. In order to ensure that the Commission conducts its business in an efficient, just and fair manner and progressive equitable and transparent provisions exist in its regulations, the Commission has been amending/modifying its Conduct of Business Regulations, including fee structure with reference to new and emerging needs from time to time per provisions. Keeping in view the increase in the cost of needed expertise after commencement of the Conduct of Business Regulations, 2005 and amendments made thereto, some more gaps in provisions have been observed and in some cases the fees is not prescribed, which seems inadequate and are not commensurate with the quantum of services being rendered in disposal of the cases and other miscellaneous petitions.
3. In order to make provisions of fees for MYT Business Plan and Capital investment plan, the Commission proposed to amend some of the provisions of the said regulations and published draft amendment regulations, in accordance with the rule 3 of the Electricity (Procedure for Previous Publication) Rules, 2005, inviting public objections and suggestions on the said draft amendment

regulations. This was done by way of publication in the Rajpatra, Himachal Pradesh, on 21<sup>st</sup> May, 2022. The full text of the draft regulations was also made available on the Commission's website [www.hperc.org](http://www.hperc.org). The last date for submission of suggestions/objections was fixed as 21.06.2022.

4. Only one stakeholder i.e. Himachal Pradesh State Electricity Board Limited (HPSEBL i.e. distribution licensee), Shimla has filed their suggestions/objections on the draft amendment Regulations.

5. **Consideration of written submissions made by the HPSEBL and Commission's views.-**

The Commission now proceeds to consider the objections/suggestions received and to conclude its views on the various related issues, as follows.-

5.1 The HPSEBL has made the following submissions.-

(i) On the pattern of Punjab State Electricity Regulatory Commission, the fee for MYT Business Plan and Capital Investment Plan of distribution licensee specified at Sr. No. 9A(ii) may be reduced from 15 Lakh to Rs.10 Lakh.

(ii) The fee for additional capital Investment Plan during MYT period specified at Sr. No. 9A(V) may be kept as 0.15% of the proposed investment with a minimum of Rs. 25,000/- per petition, however, the upper limit of the same may be set as Rs.1.5 lakh as Punjab State Electricity Regulatory Commission has also fixed the same @Rs.1.5 Lakh per petition.

**Commission's View:-**

(i) The Commission does not agree to the proposal of distribution licensee i.e. HPSEBL to reduce the fee from 15 Lakh to Rs.10 Lakh in view of the voluminous work. As such, the Commission decides to retain the same.

(ii) The Commission agrees to the proposal of distribution licensee i.e. HPSEBL for fixing the upper limit and accordingly, fix the upper limit to 0.25% of proposed investment under the additional Capital Investment Plan during the MYT period.

5.2 No comments have been received on any other proposed provisions of the draft amendment regulations, and accordingly, the Commission decides to retain the same, in the final amendment regulations.

The Commission, after concluding its views on the objections and suggestions received on the draft regulations, decides to finalize and notify the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business)(12<sup>th</sup> Amendment) Regulations, 2022 by incorporating the changes on the above lines.

Sd/-

(Yashwant Singh Chogal)  
**Member (Law)**

sd/-

(Bhanu Pratap Singh)  
**Member**

sd/-

(Devendra Kumar Sharma)  
**Chairman**