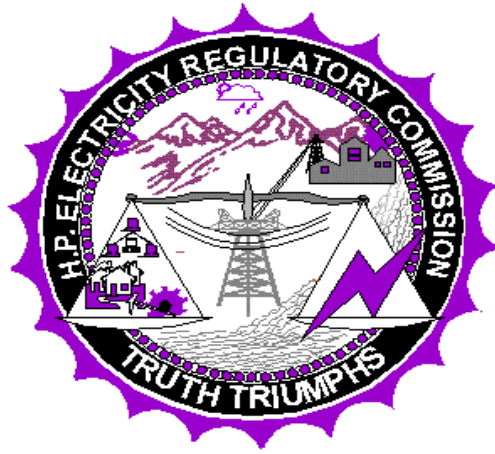


ANNUAL ADMINISTRATION REPORT (2008-2009)

वार्षिक प्रशासनिक रिपोर्ट

(2008–2009)



HIMACHAL PRADESH
ELECTRICITY REGULATORY COMMISSION

हिमाचल प्रदेश विद्युत विनियामक आयोग

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1. INTRODUCTION

The Electricity Regulatory Commission Act, 1998 (14 of 1998) mandated the creation of Himachal Pradesh Electricity Regulatory Commission on 30.12.2000. It started functioning from 6th January, 2001 with its headquarter at Shimla and entered its 9th year of functioning in 2009-10.

Re-enactment of the Electricity Act, 2003 (36 of 2003), gives the State enough flexibility to develop its power sector in a manner it considers appropriate by :-

- a) Consolidating the laws relating to generation, transmission, distribution, trading, using of electricity,
- b) Promotion and development of competition in electricity industry,
- c) Safeguarding the interests of consumers and Redressal of their grievances
- d) Supply of electricity to all areas,
- e) Rationalization of electricity tariff, lowering cross subsidy level,

Promotion of efficiency and economy etc. conducive to environmentally benign policies. Accordingly, the Commission has framed and notified many regulations for promotion of the power sector in the State. Section 105 of the Electricity Act, 2003, provides that the Annual Administration Report 2009-10 shall be laid before the State Vidhan Sabha.

2. FUNCTIONS OF THE COMMISSION

As per section 86(1) of the Electricity Act, 2003, The State Commission, has been assigned to discharge the following mandatory functions: -

- To determine the tariff for generation, supply, transmission and wheeling of electricity, wholesale, bulk or retail, as the case may be, within the State: Provided that where open access has been permitted to a category of consumers under section 42, the State Commission shall determine only the wheeling charges and surcharge thereon, if any, for the said category of consumers;
- To regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State;
- To facilitate intra-State transmission and wheeling of electricity;
- To issue licenses to persons seeking to act as transmission licensees, distribution licensees and electricity traders with respect to their operation within the State;
- To promote cogeneration and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee;
- To adjudicate upon the disputes between the licensees and generating companies and to refer any dispute for arbitration;
- To levy fee for the purposes of the Act;
- To specify State Grid Code consistent with the Grid Code specified under clause (h) of sub-section (1) of section 79;

- To specify or enforce standards with respect to quality, continuity and reliability of service by licensees;
- To fix the trading margin in the intra-State trading of electricity, if considered, necessary;
- To discharge such other functions as may be assigned to it under this Act.

Similarly, the Commission under section 86(2) of the Electricity Act, 2003 can advise the State Government on all or any of the following matters, namely:-

- (i) Promotion of competition, efficiency and economy in activities of the electricity industry;
- (ii) Promotion of investment in electricity industry;
- (iii) Reorganization and restructuring of electricity industry in the State;
- (iv) Matters concerning generation, transmission, distribution and trading of electricity or any other matter referred by State Government.

3. COMMISSION AND ITS SECRETARIAT

As per Section 82(4), the State Commission shall consist of not more than three members including the Chairperson. The State Commission, at present is a one member Commission headed by Sh. Yogesh Khanna, as its Chairperson w.e.f. 31.1.2006. While exercising power and discharging its duties, the State Commission during the period, ensured utmost transparency in its decision-making. Under the Electricity Act, 2003, the Secretary of the Commission assists the Chairperson in all statutory matters and in personnel, administration, accounts /finance. The Executive Directors assist the Commission in all technical matters including framing of regulations, techno economic approval, PPAs and Tariff

analysis etc. Other officers and staff of the Commission also provide necessary support in different spheres of activity.

4. HUMAN RESOURCES OF THE COMMISSION

4.1 General

During the year, the Commission worked with the officers/staff taken mostly on deputation/secondment from HPSEB and other departments/ PSUs, for its different functional needs in areas such as engineering, economics and financial analysis, accounting, information technology and human resources management. The Commission is yet to notify finally the HPERC (Terms and Condition of Services of Officers and Employees) Regulation and the matter remained under consideration of the Government.

In order to facilitate its other activities during the year, the State Commission continued to employ its security staff, office help and other housekeeping functions on outsourcing basis through a service provider in the interest of economy and efficiency. The total staff strength as on 31.3.2009 has remained 29. In the absence of adequate regular staff and to cope up with the increased workload, the Commission also engaged consultants to provide specialized services.

The Organizational Chart of the Commission is at **Annexure-I** and list of the staff is at **Annexure-II**.

4.2 Personnel and Administration

The organizational goals of the Commission are achieved by the officers and staff working as a team. The Personnel and Administration, Accounts and Finance and Legal Sections jobs are being looked after by the Secretary of the Commission and these segments provide a vital support services to the Commission in recruitment of executive and non-executive staff and overseeing operational matters such as budget, purchase and procurement, maintenance and care taking, personnel management, legal matters, training and performance appraisal etc. Sh. B.M. Nanta, HAS, remained the Secretary of the Commission upto 10.10.2008, Sh. Madan Chauhan, HAS upto 28.2.2009 and Smt. Purnima Chauhan, HAS is

presently looking after the charge of the Secretary of the Commission w.e.f. 28.2.2009. All these officers remained on secondment with the Commission. To discharge the personnel administrative & financial accounts functions, the Secretary is assisted by Personnel-cum-Administrative Officer, Sr. Accounts Officer, Supdt. Grade-II, three Sr. Assistants and a Record Keeper.

4.3 Officers/ Staff Update

During the preceding year, on promotion of Sh. Mahesh Sirkek in his parent organization as Superintending Engineer, he was taken against the post of Executive Director (TFA) w.e.f. 29.1.2009 on secondment basis. Similarly Sh. Susheel Kashyap, Sr. Assistant was promoted on adhoc basis and joined as such on 13.2.2009. Against the vacant post of Personal Assistant, Sh. Ashok Gautam was appointed and taken on secondment in the commission w.e.f. 19.2.2009. Despite efforts to fill vacancy of Director (TE) and Law Officer etc. even by advertisement, could not find adequate response and they could not be filled up, however, action to fill them is under way.

4.4 Engagement of Consultants

As per section 91(4) of the Electricity Act, 2003, the Commission appoints consultant to assist the Commission in discharge of its functions on terms and conditions as specified by the Commission. Sh. B.S. Bakshi, a retired Executive Director and Sh. S.K. Chanana, a retired Member (Technical), HPSEB, was re-engaged as Retainer Consultant (Technical I & II) w.e.f. 2nd January, 2009 and 14th March, 2009 respectively for another one year. Similarly consultancy period of Sh. Shashi Bhushan Sharma (Computer Network and Server Management) was extended for another one year w.e.f. 6th August, 2008, Sh. G.P. Attri was re-engaged as a Retainer Consultant (Legal) w.e.f. 1st December, 2008. In order to provide assistance in tariff, financial and accounts matters Sh. V.K. Seth was also appointed Retainer Consultant(F&A) for one year w.e.f. 28th Feb., 2009. Other Institutional Consultants were also engaged for determination of tariff petition and other Commission matters, through competitive bidding from time to time.

4.5 Consumer Representative

In order to represent the interest of the consumers in the proceedings before the Commission, Sh. Prem Nath Bhardwaj remained engaged as a Consumer Representative during the year.

5. ACTIVITIES DURING THE YEAR

5.1 Trainings/Workshops/Meetings

During the year, the Commission sponsored its officers for various trainings/ conferences/workshops/meetings etc. particularly in areas of Power Transmission in India, Renewable Energy, Grid Security and Management, Power Distribution in India, Energy Meters, Right to Information Act, Power Reforms at HPSEB, Capacity Building Programme etc. The details of officers who have attended the trainings/conferences/meetings are given at **Annexure-III**.

5.2 Computerization

Computers have been provided to all the officers and staff of the Commission. For increasing their efficacy and compatibility, these are interconnected through local area network (LAN) so that information can be exchanged on priority in a reliable mode. A previous computer network has been augmented and upgraded now having Two Servers, 35 desktops, 15 Printers and 2 Photocopier-cum-fax. Apart from these eight Laptops, 1 Projector, an audio-video system and other peripheral hardware together with standard software items provided in the office. The LAN has also been extended up to the adjacent building housing Commission and Ombudsman office for optimum utilization of resources.

5.3 Website

Important information under RTI Act and HPERC Regulations is uploaded and regularly updated on the Commission's website **<http://www.hperc.org>** to provide transparency, easy access and wide publicity to consumers and other stakeholders in respect of various activities being undertaken and maintained by HPERC.

5.4 Library

Various books, Law journals and other documents pertaining to the Commission were purchased during the period April, 2008 to March, 2009 for the office library as required from time to time.

5.5 Press Clipping Service

In order to keep the Commission abreast with the latest developments in the power sector within and outside the State, a daily press clipping service was maintained in the office and put up to the Commission for perusal and suitable action.

5.6 Parliament/Assembly Questions/VIP references

Parliament/Assembly Question, VIP references, Government of India/Government of Himachal Pradesh/ Central Electricity Regulatory Commission references covering various areas of the power sector were processed expeditiously through proactive communication.

6. CONSUMERS FORUM :-

6.1 Forum for Redressal of Grievances of the Consumers.

Under Section 181 read with sub-section (5) of section 42 of Electricity Act 2003, the Commission has issued HPERC (Guidelines for establishment of Forum for Redressal of Grievances of Consumer) Regulations, 2003. As per regulation 3, the distribution licensee i.e. the HPSEB has established a three member Forum for Redressal of Grievances of Consumers at Kasumpti, Shimla to redress complaints relating to defect or deficiency in electricity supply, unfair trade practices, excess charge and recovery of price by the licensee, while providing an electric line and allied services etc. Two members were appointed by the Distribution Licensee namely the Board and one independent member Sh. D.K. Gupta, Chief Engineer (Retired) was nominated by the Commission vide its order dated 1.10.2008 for a tenure of three years from the date of taking over. The independent member was nominated under clause (b) of sub regulation (9) of Regulation 3 of HPERC (Guidelines for establishment of Forum for Redressal of Grievances of Consumer) (6th amendment) Regulation, 2008 notified by the Commission duly gazetted on 31st July, 2008. Any person aggrieved by an order of the Forum can prefer an appeal to the Electricity Ombudsman within a period of 40 days. As per information received from the Forum, the status regarding

consumer complaints received and redressed by it w.ef.1-4-08 to 31-03-09 is reflected in the table below :

S. N.	Complaint Status	Delay in effecting supply	Quality of voltage	Interruptions	Metering Problems	Billing Problems	Tariff Problems	Others	Total
1	Complaints pending at the end of the last year i.e. 31-3-08	-	1	-	8	14	28	9	60
2	Complaints Received during the period under report	-	-	-	2	8	8	4	22
3	Total Complaints	-	1	-	10	22	36	13	82
4	Complaints attended during the period under report	-	2	-	1	7	1	2	13
5	Balance Complaints	-	1	-	10	15	35	11	72
6	Complaints pending for more than 3 months but less then 6 months	-	-	-	-	-	2	1	3
7	Complaints pending for more than 6 months	-	1	-	10	13	30	9	63

6.2 Electricity Ombudsman

As per Section 42(6) of the Electricity Act, 2003 and Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) Regulations, 2004, Sh S. K. Sood was appointed as Electricity Ombudsman on 2-1-08. He discharged and redressed the complaints filed before it during the year under the aforesaid Regulations. The Electricity Ombudsman has the power to receive representations on non-redressal of consumer grievances by the Forum or against the orders of the Forum for redressal of grievances of consumers. It facilitates settlement either by

agreement, conciliation and mediation or by passing an award in accordance with the regulations. Any person aggrieved by an order of the Forum or by non-redressal of his grievance by the Forum may represent to the Electricity Ombudsman for redressal of his grievance. The Electricity Ombudsman under the Regulation 11, 12 and 13 of the aforesaid regulations has the power of settlement of disputes by agreement, award and also to ensure its enforcement. Electricity Ombudsman is to make an award on any complaint of consumers not later than three months from the date of receipt of complaint and the award as such shall be binding on the parties within 30 days of its decision. In case of non-compliance of award or agreement and application for enforcement of award, the aggrieved persons can approach the Commission, which shall take appropriate action to enforce the award. Any person aggrieved by the order of the Forum may file representation to the Electricity Ombudsman within 45 days from the date of such order. The opening balance of petition/representation pending before the Electricity Ombudsman as on 1.4.2008 was 4 and during the year 4 additional petitions/representations related to billing were also filed. Out of 8 petitions in total received till 31.3.2009, 6 petitions were disposed off and 2 petitions related to billing are pending for adjudication as on 1.4.2009.

7. DISPUTE ADJUDICATION IN THE STATE COMMISSION, HIGH COURT, SUPREME COURT AND APPELLATE TRIBUNAL FOR ELECTRICITY (APTEL)

7.1 Cases before the State Commission

In the Commission, the petitions, replies, rejoinders and objections are examined and scrutinized by the Officers and Staff of the Commission. During the financial year 2008-09, out of 66 fresh petitions received by the Commission from various petitioners and stakeholders under the Electricity Act, 2003, it decided and disposed of 46 petitions whereas 20 petitions were pending for adjudication as on 31.3.2009 in addition to other old petitions were also dispose off. The details of petition filed, decided & pending are as shown as at **Annexure IV**.

7.2 Cases before the Hon'ble High Court/Appellate Tribunal for Electricity, New Delhi (APTEL) and Supreme Court of India

The Commission staff looks after legal work relating to preparation of comments and liaison with its counsels in the High Court, Supreme Court and APTEL for preparation and filing of petitions/counter affidavits and apprises the Commission about the latest developments in pending cases, beside giving or seeking legal advice, vetting of court replies and in finalising regulations of the Commission.

Sh. Naresh Kumar Sood, Advocate, continued as Standing Counsel-cum-Legal Advisor of the Commission to conduct and defend cases in the High Court of Himachal Pradesh on retainership fee basis. Similarly, Sh. Sanjay Sen, Advocate, Supreme Court of India also remained as Counsel of the Commission to defend the various appeal cases before the "Appellate Tribunal for Electricity", New Delhi.

During the year, the *Appellate Tribunal* for Electricity has delivered judgments in *Appeal Nos. 135/2006, 136/2006, 68/2006, 64/2008, 206/2006, 147/07, 39/2009 and 209/2009*. The appeal No. 135/06 filed by the Board with APTEL relates to the increase in infrastructural development charges notified by the Board on 18.11.2004. The notification of these infrastructural charges were subsequently stayed by the Commission and the Board consequent thereof, withdrew this notification of increased charges on dated 28.12.2004. The Commission after hearing the matter on 27.12.2005 issued the impugned order dated 6.4.2005 of imposition of penalty of Rs. 1.00 lacs and additional penalty for contravention @ Rs. 6000/- per day from 18.11.2004, however, these orders of the Commission were set aside by the Tribunal and simultaneously discharged the notice of show cause in the appeal. In *Appeal No. 136 of 2006* filed by the Board, the APTEL on December 4, 2008 dismissed it as infructuous, keeping in view that the appellant Board complied with the *HPERC (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) Regulations, 2003* and its subsequent amendments issued by the Commission. Similarly, in *Appeal No. 68/2006* which relates to the appointment of "Investigation Officer" by the order of the Commission dated 23.12.2005 for micro managing the affairs of the utility

was also decided and dismissed by the *APTEL* as in fructuous on December 3, 2008 keeping in view the fact that the Commission intended not to appoint any “Investigation Officer” to investigate the affairs of the Board provided it complied with its instructions. The *Appeal No. 64 of 2008* filed in *APTEL* by M/S H.M. Steels Limited relates to levy of higher energy charges for the PIU units, creation of a PIU category for the power intensive industry and imposition of two part tariff in the peak load exemption charges as stated by the Commission in its Tariff Order dated 16.4.2007. The Appellant also sought relief for delay in filing the Appeal within stipulated period as per *Section 111 (2) of Electricity Act, 2003* and the appeal filed by the appellants against impugned Tariff Order was pursued to be entertained by the Tribunal. *The Appeal No. 64/2008* was decided and dismissed by the *APTEL* with cost to the respondent Board on 10.12.2008 and again in review application filed on 6th January 2009 by the Appellant in *Appeal No. 64 of 2008* for recalling of order dated 10.12.2008 prayed for relief’s as already sought in original *Appeal No. 64 of 2008* and is yet to be decided finally. In *Appeal 206 of 2006* filed in *APTEL* by Himachal Steel Manufacture association prayed not to recover charges as per PIU schedule of tariff and processing fee for change in contact demand and seeking peak load exemption appeal, however was withdrawn by the Appellant as these issues were already addressed. In another *appeal No.147/07* filed by IPH Department GoHP, it was contended that lift irrigation scheme should be charged at “agriculture pumping power supply tariff” rather than “water pumping supply tariff” and further prayed to modify the tariff order dated 3rd July, 2006 and the *APTEL* in its judgment dated 21st October, 2008 decided that the Commission can not discriminate between two consumers except on the basis as laid down in *Section 62(3) of the Electricity Act, 2003* and asked Commission to determine the tariff for the category as applicable without discovering the tariff of other categories however, resulted adjustment in revenue requirement for the year 2006-07 may be made while undertaking next truing up exercise.

In *appeal No. 39/2009*, the Board filed appeal before *APTEL* and sought relief to set aside order dated 5th April, 2008 of the State Commission wherein it was held by the Commission that the Board has contravened the *HPERC*

(Distribution, License Standards of Performance) Regulations, 2005 for not setting up the call center for redressal of consumer grievances and thus imposed a penalty of Rs. 25,000/- and continued penalty of Rs. 2000/- per day w.e.f. 1.1.2008 till such time, the state Commission notifies its satisfaction of compliance by the HPSEB. The *APTEL* vide its order dated 16th March, 2009 disposed of the appeal with the direction that the petitioner appellant has prayed for waiver of penalty alone and therefore the petitioner may make further representation to the Commission and the Commission may consider the same and pass appropriate order in the light of the circumstances shown by the petitioner. The Commission in this case concluded that since the Board has not made proper compliance, and it does not find any new ground to interfere with its order dated 5th April, 2008, hence the petition of the Board was dismissed. Similarly in *appeal No. 209 of 2006*, the Board prayed before the *APTEL* to modify the order dated 3rd July, 2006 passed by the Commission and stay the same, so far as it disallows the claim of applicant as challenged in the appeal and creation of development fund of the Board. The *APTEL* decided the appeal against the judgment order on dated 8th Dec., 2008 and subsequently the Board has filed *review petition No. 3/2009* in *appeal No. 209/2006* on 17.1.2009 and prayed the *APTEL* for review of its order dated 8th Dec.,2008 in *appeal No. 209/2006* relating to disallowance or return on equity and dearness allowance by the State Commission and further decision on the issue is yet to be taken by the *APTEL*.

8. FINANCE & ACCOUNTS

8.1 Finance

During the financial year 2008-09, all receipts and payments of the Commission were regulated through Commission's own Fund as established and made operative vide *GoHP Notification No. MPP-A(3)-7/2004 dated 03.05.2007*. Rs.90.00 lacs were granted to this Commission for the year 2008-09 as Grant-in-aid under major head of account : 2801-800-80-02-41 for carrying out its various functions. The Annual Accounts of the Commission for the year 2008-09 were

prepared on the prescribed formats as contained in the Fund Rules. The accounts of the Commission are being prepared in the shape of Receipt and Payment Account , Income & Expenditure Account and Balance sheet.

The total income of the Commission for the financial year 2008-09 work out to Rs.391.24 lacs including GIA of Rs.90.00 lacs, whereas the expenditure for the relevant year was Rs.252.78 lacs, thereby the excess of income over expenditure as disclosed by the Income and Expenditure Account for the year ended 31.03.2009 was Rs.138.46 lacs.

8.2 Financial position of the Commission

The financial position of the Commission as on 31.03.2009 is as under :-

(Rs. in lacs)

Liabilities		Assets	
Particulars	Amount	Particulars	Amount
Accumulated excess of income over expenditure	1055.74	Fixed Assets	40.42
Current Liabilities & Provisions	22.16	Investments	860.50
		Other Current Assets & Advances	149.01
		Deposits	0.40
		Cash & Bank Balances	27.57
Total :	1077.90		1077.90

Audit of the Commission

The audit of the accounts of the Commission for the year 2008-09 is yet to be taken up by the office of the Accountant General(Audit), H.P. However, year-wise position of the old outstanding audit paras are as under :-

Sr. No.	Year	Nos. of paras	Paras settled upto 2008-09	No. of outstanding
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				paras
1.	2004-05	08	06	02
2.	2005-06	05	04	01
3.	2006-07	08	03	05
4.	2007-08*	05	--	--

*The audit and inspection report received in the month of May, 2009.

8.3 Laying of Annual Accounts of the Commission in Vidhan Sabha

The Annual Accounts of the Commission for the year 2007-08 have been prepared as per provisions as contained in Fund Rules and accounts so certified by the CAG of India together with Audit report thereon have been forwarded to the State Govt. for laying the same before the State Legislative Assembly as per requirement of Rule 7(4) of HPERC Fund Rules.

9. CO-ORDINATION FORUM

Section 166 of the Electricity Act, 2003, provides for constitution of a Co-ordination Forum for smooth and Co-ordinated Development of Power System in the Country. Sub-Section (2) Section of 166 provides for constitution of Forum of Regulators (FOR).

In order to provide a dynamic interface with other utilities and to evoke a common reform strategy by regulators, the Commission actively associates through its membership in the following fora at regional, national and international levels: -

9.1 South Asia Forum for Infrastructure Regulation (SAFIR)

Functioning under the Umbrella of International Forum for Utility Regulation (IFUR), the SAFIR was established on May, 1999 with the support of the World Bank of the region comprising Bangladesh, Bhutan, Nepal, Sri Lanka,

India and Pakistan, as network of infrastructure regulators. The sectors covered include electricity, natural gas, telecommunications, water, transport, etc. Its objectives are to stimulate research, provide a databank relating to regulatory reform processes and experiences, initiate beneficial exchange of knowledge and expertise.

The activities of the SAFIR used to be guided by a Steering Committee comprising of all the members,. In the last (15th) Steering Committee meeting held in New Delhi, an Executive Committee consisting of a representative each from India, Pakistan, Nepal, Bhutan and Sri Lanka was constituted and decided to take SAFIR forward. It was also decided that CERC would provide a permanent secretariat for SAFIR for three years.

There are four categories of members, viz, Academic institutions, Consumer bodies/ NGOs, Corporation / utilities Regulatory bodies. Lastly, the SAFIR Steering Committee meeting was held on 9th and 10th Sep., 2008 in New Delhi, wherein Chairman HPERC also attended the meeting. The Commission has already on 19th April, 2008 deposited Rs. 60,000/- as its renewal of membership fees of SAFIR for the year 2008-09.

9.2 Forum of Indian Regulators (FOIR)

The Forum of Indian Regulators (FOIR), is a registered body constituted in February 2000. Its membership is fee based. The mission of FOIR is to promote transparency in the working of the regulatory bodies, protect consumer interest and develop consumer advocacy organizations; develop human and institutional capacities in regulatory bodies, utilities, and other stakeholders; and provide information base on regulatory law and practice and regulatory economics and to promote growth of independent regulatory Mechanism and transparency in working of regulatory bodies. The FOIR meets at least once in a year and discusses various issues. In the recent past, FOIR conducted studies relating to electricity tariff in India. The HPERC joined the Forum of Indian Regulators (FOIR) as its institutional member on 26th May, 2001. The forum has a governing body and member of the FOIR is eligible for appointment to the

governing body in honorary capacity. The secretariat for the Governing body is provided by Central Electricity Regulatory Commission. The supreme authority of FOIR is vested in the general body and it shall meet atleast once in a year probably in the month of June. The 9th Annual General Body Meeting of FOIR was held on 12th June, 2008 at New Delhi.

9.3 Forum of Regulators (FOR)

Forum of Regulators (FOR) has been constituted by the Government of India in terms of Section 166 (2) of the Electricity Act, 2003. The Commission's Chairman is also a Member of FOR and the Commission is depositing the fee regularly. (The Forum is responsible for harmonization, coordination and ensuring uniformity of approach amongst the Electricity Regulatory Commissions across the country, in order to achieve greater regulatory certainty in the electricity sector.) During the year, FOR successfully conducted programmes on capacity building, Open Access & role of Load Despatch Centre at NPTI, Faridabad; Demand Side Management (DSM) for officers of Electricity Regulatory Commission at NPTI, Faridabad; Regulation, Competition and Consumer Issues in the Electricity Sector at Dharamshala (HP). The 11th meeting of the Forum of Regulators (FOR) was held on 2nd March, 2009 which discussed issues relating to proposed MOU between FOR, CPUC, CEC, LBNL, recommendation on CERC regulations pertaining to terms and conditions of Tariff for the period 2009-14; Demand Side Management and presentation by Bureau of Energy Efficiency (BEE) on "Bachhat Lamp Yojana" and interaction with US Regulators on DSM and Energy Efficiency. The annual subscription fees now proposed of FOR shall be Rs. 2.00 lacs for the year 2009-10.

9.4 Northern Regional Forum of Electricity Regulators (NRFER)

The Chairmen of Northern Region, Electricity Regulatory Commissions like HPERC, JKERC, HERC, RERC, PSERC, DERC, UPERC, JERC, UERC held discussion for constituting a regional Forum for understanding on common regulatory issues relating to states in the Northern region. The first meeting of the Chairmen of State Commission of Northern Region was held on 18th & 19th March, 2008 at Panchkula to draft the MOU for the formation of its society i.e.

NRFER. The registered office of NRFER has been proposed to be located in the office of Haryana Electricity Regulatory Commission Panchkula. Further it was proposed that the Senior most chairperson among members of the State Electricity Regulatory Commissions of NRFER shall be the Chairman of the NRFER and Secretary HERC shall be its Secretary. It shall have Annual General Body Meeting and regular meeting of the Executive Committee at least once in six months at its Head Quarters and other suitable places by rotation. Executive Committee shall consist of nine nominated members. The aims and objectives of the NRFER shall be broadly to share various issues relating to regulatory mechanism, consumer interest and consumer advocacy and to promote awareness amongst NGOs about the redressal mechanism, to undertake research and studies in the areas of power sector and share information of common regional interest and to promote human and institutional capacity building processes specific to the Northern Region. The subscription fees initially shall be Rs. 25,000/- and shall be utilized for fulfilling the aims and objectives of the society. The HPERC has already consented to be a member of NRFER.

9.5 State Advisory Committee

The Commission by notification dated 11th August, 2008/ 27th March, 2009 published in the gazette on 30th August, 2008 and 28th March, 2009 has reconstituted the State Advisory Committee as at **Annexure-V**. The members of the Committee represent interest groups from the areas of Commerce, Agriculture, Consumer, NGO, and Electricity Industry etc. The Secretary of the State Department of Consumer Affairs and Public Distribution System is also an ex-officio member of the Committee. The Chairperson of the State Commission is the Chairperson of the State Advisory Committee and the Secretary of the Commission is also the Secretary of the Committee. The 6th meeting of the State Advisory Committee was held on 31.3.2008 but due to inadequate quorum, the meeting had to be adjourned and subsequently efforts were made to fix the meeting again in consultation with the Chairman, HPSEB and representative of Govt. and due to preoccupation of these members, the meeting could not be held during the year.

10. TECHNICAL/REGULATORY/TARIFF ANALYSIS MATTERS

10.1 Technical Analysis (TA) Division

The Technical Analysis Division is headed by the Executive Director (TA). The Technical Analysis Division deals with the preparation and review of cost allocation and rate design proposals, analysis and assessment of T&D losses, evaluation of technical performance and standards of service, load forecasts, power purchase agreements, Grid Code, distribution Code, Supply Code. The Division has been entrusted with the work for preparation of all the regulations to be framed by the Commission under section 181 of the Electricity Act, 2003. Besides above, the Division also looks after the IT Section. The IT Section deals with System Administration, Design, development and updation of HPERC website, Up gradation and maintenance of Computer Hardware & Software, Computerized audio-video recording system for court proceedings, regular back ups, editing & printing of document, in-house computer training, searching & downloading information from internet, assessing & proposing fresh IT requirements for the office, networking within the Commission and handling of Internet. The Division undertook the following activities during the year: -

10.1.1 Formulation of Regulations

As per the requirement of the Electricity Act, 2003, the Commission, issued the following regulations during the FY 08-09:

- *HPERC(Eligibility Conditions for being a Electricity Trader) Regulations, 2008.*

These regulations which were notified on 21st July, 2008 specify technical requirement, capital adequacy requirement, credit worthiness and disqualification with respect to the grant of electricity trading license in the state of H.P.

10.1.2 Amendments to Regulations

In addition to framing of regulations, Commission as and when required, issued amendments to the regulations already notified. The following amendment regulations were notified during the year 2008-09: -

- *HPERC (Conduct Of Business) Fourth Amendment, Regulation ,2008*
- *HPERC (Conduct Of Business) Fifth Amendment, Regulation ,2008*
- *HPERC (Recovery of Expenditure for Supply of Electricity) Regulations 2008-Third Amendment*
- *Himachal Pradesh Electricity Regulatory Commission (Procedure for filing appeal before the Appellate Authority) (first Amendment) Regulations, 2008.*

10.1.3 Codes & Standards

Himachal Pradesh Electricity Distribution Code and HP Electricity Grid Code were notified after due process of prior publication. The draft HP Electricity Supply code notified for objection of the stakeholders.

10.1.4 Other notifications/orders

The following notification/orders issued in 2008-09

- *Revised Guidelines for approval of PPAs.*
- *HPERC Determination of Open Access Charges Order 2008.*
- *HPERC Fixation of Intra State Trading Margin Order 2008.*
- *Benchmarking of Reliability Indices.*
- *HPERC Tariff for Grid Interactive Photovoltaic and Solar Thermal Power Projects (Eligible under MNRE guidelines), 2009.*

10.1.5 Power Purchase approvals

The detail of PPA received and action taken by the Commission during 2008-09 has given below:

LIST OF MODEL PPA APPROVED BY THE COMMISSION

Sr. No.	Name of the Developer	Name of the Project	Installed capacity in MW	District in which located	Date of approval of PPA
1	M/S Balij Hydro Power Lld,Hydrabad	Balij	5 MW	Shimla	1-8-08
2	M/S Himalaya Vidyut Rural Electric CO-OP Society LTD..	Jabbal	2 MW	Shimla	1-8-08
3	M/S Modi Power Pvt.Ltd.	Upper Maglad	5 MW	Shimla	1-8-08
4	M/S Brua Hydrowatt Pvt.Ltd.	Brua	5 MW	Kinnaur	23-08-08
5	M/S Gehra Hydro Power Limited	Gehra	2MW	Chamba	23-08-08
6	M/S Raghupreet Hydro Project Pvt Limited	Kartaul	2MW	Kinnaur	16-09-08
7	M/S Gujrat Costal Construction Limited	Suil -1	5 MW	Chamba	15-11-08

10.1.6 Examination/Comments on documents

Various documents issued by CERC, FOIR, MOP Govt. of India GoHP were examined by the commission and comments/views supplied.

10.1.7 Approval of Cost data

In pursuance to regulation 13 of HPERC(Recovery of Expenditure for Supply of Electricity) Regulations, 2005, cost data book w.r.t EHV, HV and LT equipment for the FY 2008-09, as submitted by the board, was examined and approval granted.

10.1.8 Other activities

- Implementation of the Regulations specially with respect to Standard of Performance.
- Monitoring the progress of Evacuation System for small hydro projects through Empowered Committee meeting constituted under Himachal Pradesh Electricity Regulatory Commission (Power Procurement from Renewable Sources and Co-generation by Distribution Licensee) Regulations, 2007.
- Designed development of salary package, customized for Commission.

10.2 Tariffs and Financial Analysis (TFA) Division.

The Tariff and Financial Analysis Division is headed by Executive Director (TFA). It has the responsibility of financial investigation and analysis of electrical utilities, beside determination of tariff of utilities in the areas of generation, transmission and distribution of electricity, planning of long term tariff settings, providing of adequate financial and economic input into tariff process, enforcement of commercial and financial standards, review of the financial performance and compliance reports of utilities. It also maintains close interaction with the Technical Analysis Division, participates in all Commission's proceedings and helps in review and approval of all investments and development plans of utilities. It also looks after the work relating to consumer affairs.

10.2.1 Amendments to Regulations

In addition to framing of regulations, this section issued amendments to the regulations already notified. The following amendments were notified during the year 2008-09:-

- *The Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) (First Amendment) Regulations, 2008.*
- *The Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) (First Amendment) Regulations, 2008.*
- *The Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers)(Sixth Amendment) Regulations, 2008*

10.2.2 Determination of Annual Revenue Requirement (ARR) and Tariff for the Himachal Pradesh State Electricity Board for MYT Control period (FY 2009-2011)

The Commission, on the petition filed by HPSEB, determined the Aggregate Revenue Requirement and approved the tariff for HPSEB for the first MYT Control Period (FY 2009-2011) on 30th May, 2008, after following the requisite procedure defined under the regulations.

The Commission approved the Aggregate Revenue Requirement at Rs. 2021.00 Crores for the FY 2008-09 which also includes a surplus of Rs.105.51 crores resulting from the true up of 2006-07 and has been carried forward in the present tariff order.

This is the first time that any Regulatory Commission has issued an order on MYT principles in respect to a bundled entity i.e. the HPSEB. The objectives of Multi Year Tariff are to: develop incentivised framework to reward performance, promote efficiency and competition; ensure financial viability of the sector to attract investments and safeguard consumers; provide regulatory certainty to the investors and consumers by promoting transparency, consistency and predictability of regulatory approaches thereby minimizing perceptions of regulatory risk and address risk sharing mechanism between utility and consumers based on controllable and uncontrollable factors.

With a view to introduce the Multi Year Tariff regime, the Commission in its order made a concrete attempt to co-relate the tariff on a cost to serve model and gave a series of signals for reforms in the power sector of the State. The salient features of the tariff order are as follows:

- a) The tariff for BPL families has been kept unchanged at last year's level i.e. Rs. 1.85 per unit.
- b) Domestic tariff in Himachal Pradesh continues to be the lowest in the country.
- c) No increase in tariff for agriculture consumers.

- d) Despite the huge increase in power purchase cost, only 20 paise increase in energy charges for EHT consumers and 25 paise increase in energy charges for HT consumers.
- e) Increase in tariff for some other categories such as Non-Domestic Non-Commercial Supply, Commercial Supply and Small and Medium Industrial Supply by 20 to 30 paise, to reduce cross- subsidy.
- f) The Commission has given twelve directions in its'ariff order focussing mainly for regular and effective energy audits to identify the areas with the high losses, to identify circles with high losses thereby making loss improvement strategy for those areas, to check the Distribution Transformer Failure Rate, to undertake a survey of all HT and EHT consumers to built a robust data base, timely and regular capitalisation of assets, take steps to obtain a greater share from ultra mega power projects and prepare/ update the preventive maintenance manuals and schedules to ensure regular maintenance to reduce outages and loss of revenue to the Board.
- g) The advisories relate to developing optimal trading strategies for handling the free power quantum, which is likely to increase over the next years, planning of integrated transmission network in the State to strengthen the intra-state and inter-state transmission system, evaluation of Franchise Model in distribution and review of the existing hydro policy to harmonize this with the new National Hydro Policy.

10.2.3 Determination of tariff for sale of power from Baspa II, 300 MW Hydro Power Plant to HPSEB.

M/s Jaiparakash Hydro Power Limited filed an application with the Commission for determination of tariff for sale of power from Baspa II 300 MW Hydro Power Plant to HPSEB for the Control Period (FY 09 to FY 11), The Commission after considering the petition, the facts presented by the applicant in its various filings, objections received from HPSEB, the issues raised in the hearings, the responses of the applicant to the objections and all other documents

available on record, the Commission approved the tariff for FY 09-FY 11 through its order issued on 30th March, 2009.

11. INFORMATION UNDER RIGHT TO INFORMATION ACT, 2005

During the year in total only eight requests were received under the Right to Information Act, which were disposed off within a stipulated period. The updated information about the Commission as required under section 4(1) (b) of the Right to Information Act, 2005 already stand hosted on the Commission website. The relevant RTI information and other relevant activities of the Commission are given below: -

11.1 Particulars of Organization, functions and duties

11.1.1 Organization

Please see Para No. 1 titled “Introduction” and Para No. 2 titled “The Commission and its Secretariat”.

11.1.2 Functions and Duties of the Commission

Please see Para No. 3 titled “The Functions of the Commission”.

11.2 Powers and Duties of the Commission’s Officers and Employees

The Commission has organized its working through three Divisions namely, Administration & Legal, Technical Analysis and Tariff & Finance Analysis, having duties and responsibilities as under:

- **Administration, Financial & Legal Division**

Please see Para No. 5.1 on “Personnel and Administration”.

- **Technical Analysis Division**

Please see Para No. 10 on “Technical/Regulatory/Tariff Analysis Matters”.

- **Tariff and Financial Analysis Division**

Please see Para No. 10.2 on “Tariff and Financial Analysis Division Matters”.

11.3 Procedure followed in the decision making process, including channels of supervisions and accountability

11.3.1 The vertical reporting system is adopted by the officers and staff in discharge of their duties/work and the major decision-making is at the level of the Commission.

11.3.2 The procedure adopted for holding the proceedings before the Commission is specified in Chapter-II of the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2005.

11.4 Norms set by it for the discharge of its functions

No norms have been set up by the Commission for the discharge of its functions. The staff on rolls and the consultants appointed from time to time as per the Himachal Pradesh Electricity Regulatory Commission (Appointment of Consultants) Regulations, 2005 are assisting the Commission in discharge of the routine work.

11.5 Rules, Regulations, instructions, manuals and records, held by it or under its control

11.5.1 Rules and Regulations

Section 181 of the Electricity Act, 2003 empowers the State Electricity Regulatory Commissions to make regulations consistent with this Act and rules made there under to carry out the provisions of the Act. The Rules as per Section 180 of the Act are required to be made by the State Government. The Electricity Regulatory Commissions Act, 1998 also had similar provisions.

11.5.1.2 The regulations made till date by the Himachal Pradesh Electricity Regulatory Commission are listed as under:

Sr. No.	Description of Regulations	Date of issuance of Notification/ Publication in Rajpatra
1.	Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) Regulations, 2003	23.10.2003
a.	Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) (First Amendment) Regulations, 2004	21.06.2004
b.	Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) (Second Amendment) Regulations, 2005	18.05.2005
c.	Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) (Third Amendment) Regulations, 2005	20.12.2005
d.	Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) (Fourth Amendment) Regulations, 2007	25.08.2007
e.	Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) (Fifth Amendment) Regulations, 2008	27.02.2008
(+)	Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) (Sixth Amendment) Regulations, 2008	
2.	Himachal Pradesh Electricity Ombudsman (Terms and Conditions of Service of Officers and Employees) Regulations, 2004.	05.04.2004
3.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2004	09.06.2004
4.	Himachal Pradesh Electricity Regulatory Commission (General Conditions of Distribution Licensee) Regulations, 2004	09.06.2004
a.	Himachal Pradesh Electricity Regulatory Commission (General Conditions of Distribution Licence) (First Amendment) Regulations, 2005.	22.02.2005
5.	Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) Regulations, 2004.	19.04.2004
a.	Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) (First Amendment) Regulations, 2005	19.01.2005
b.	Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) (Second Amendment) Regulations, 2005	20.12.2005
c.	Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) (Third Amendment) Regulations, 2007	20.08.2007
d.	Himachal Pradesh Electricity Regulatory Commission (Electricity	29.02.2008

	Ombudsman) (Fourth Amendment) Regulations, 2008	
6.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Appointment of the Electricity Ombudsman) Order, 2004	11.5.2004
a.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Appointment of the Electricity Ombudsman) (First amendment) Order, 2007	26.11.2007
7.	Himachal Pradesh Electricity Regulatory Commission (General Conditions of Transmission License) Regulations, 2004	11.06.2004
a.	Himachal Pradesh Electricity Regulatory Commission (General Conditions of Transmission Licence) (First Amendment) Regulations, 2005	22.02.2005
8.	Himachal Pradesh Electricity Regulatory Commission (General Conditions of Trading License) Regulations, 2004	11.06.2004
a.	Himachal Pradesh Electricity Regulatory Commission (General Conditions of Trading License) (First Amendment) Regulations, 2005.	22.02.2005
9.	Himachal Pradesh Electricity Regulatory Commission (State Advisory Committee) Regulations, 2004	22.06.2004
10.	Himachal Pradesh Electricity Regulatory Commission (Licensee's Duty for Supply of Electricity on Request) Regulations, 2004	22.06.2004
11	Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2001.	23.4.2001
a.	Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (First Amendment) Regulations, 2003.	10.7.2003
b.	Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (fourth amendment), Regulations, 2008	1.08.2008
c.	Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (Fifth amendment)	21.7.2008
12.	Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2005.	14.01.2005
a.	Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (Third Amendment) Regulations, 2008	14.01.2008
13.	Himachal Pradesh Electricity Regulatory Commission (Manner of Service and Publication of Notice by the State Commission) Regulations, 2005.	24.03.2005
14.	Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2005	24.03.2005
15.	Himachal Pradesh Electricity Regulatory Commission (Procedure for filing appeal before the Appellate Authority) Regulations, 2005	24.03.2005
a.	Himachal Pradesh Electricity Regulatory Commission (Procedure for filing appeal before the Appellate Authority)(First amendment) Regulation, 2008.	15.11.2008
16.	Himachal Pradesh Electricity Regulatory Commission (Security Deposit) [Removal of Difficulties] (First) Order, 2005	30.03.2005

17.	Himachal Pradesh Electricity Regulatory Commission (Approval of Hydro Electric Projects in the State of Himachal Pradesh) Directions, 2005	06.04.2005
18.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Open Access) Regulations, 2005	03.06.2005
19.	Himachal Pradesh Electricity Regulatory Commission (Appointment of Consultants) Regulations, 2005.	25.07.2005
a	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for determination of Hydro Generation Tariff) (First amendment) Regulation 2008	
20.	Himachal Pradesh Electricity Regulatory Commission (Security Deposit) [Removal of Difficulties] (First) Order, 2005	06.10.2005
21.	Himachal Pradesh Electricity Regulatory Commission (Distribution Licensees' Standards of Performance) Regulations, 2005.	31.10.2005
22.	Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2005	31.10.2005
a.	Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) (First Amendment) Regulations, 2005.	09.12.2005
b.	Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) (Second Amendment) Regulations, 2006.	21.08.2006
c.	Himachal Pradesh Electricity Regulatory Commission (Recovery of expenditure for supply of Electricity) (Third amendment) Regulation, 2008	1.5.2008
23	Himachal Pradesh Electricity Regulatory Commission (Guidelines and Formats for Tariff Filing) Regulations, 2005.	31.10.2005
24	Himachal Pradesh Electricity Regulatory Commission (Treatment of Income of Other Businesses of Transmission Licensees and Distribution Licensees) Regulations 2005	02.12.2005
25	Himachal Pradesh Electricity Regulatory Commission (Charges for Transmission, Wheeling and Intervening Facilities and Fees and Charges to be collected by the State Load Despatch Center) Regulations, 2006.	16.09.2006
26	Himachal Pradesh Electricity Regulatory Commission (Cross Subsidy Surcharge, Additional Surcharge and Phasing of Cross Subsidy) Regulations, 2006	07.12.2006
27.	Himachal Pradesh Electricity Regulatory Commission (Power Procurement from Renewable Sources and Co-generation by Distribution Licensee) Regulations, 2007	21.06.2007
a.	Himachal Pradesh Electricity Regulatory Commission (Power Procurement from Renewal and Co-generation by Distribution Licensee) (First Amendment) Regulations, 2007	16.11.2007

28.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2007.	15.10.2007
a.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for determination of Wheeling Tariff and Retail supply Tariff) (First amendment) Regulation, 2008	19.7.2008
29.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2007.	17.10.2007
30.	Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2007.	17.10.2007
31.	Himachal Pradesh Electricity Regulatory Commission (Eligibility conditions for being an Electricity Trader) Regulation 2008	21.7.2008

These regulations can be accessed at the Commission's website.

11.5.2 Instructions, Manual and Records

In addition to the above-mentioned regulations, HPERC has also notified the following Guidelines/Orders/Concept Papers to facilitate discharge of its functions:

1. Guidelines for load forecast, Resource Planning and Power Procurement Process.
2. Concept paper on reorganization and restructuring of HPSEB.
3. Directions for the Approval of Hydro Electric Projects in the State of Himachal Pradesh, 2005.
4. HPERC Determination of Open Access Charges Order 2008.
5. HPERC Fixation of Intra State Trading Margin Order 2008.
6. HPERC Tariff for Grid Interactive Photovoltaic and solar Thermal Power Projects (Eligible under MNRE guidelines), 2009

11.6 A statement of the categories of the documents that are held by it or under its control:

11.6.1 The categories of the documents that are maintained by the Commission mainly relate to: -

- (i) The petitions filed by the various agencies and consumers on matters falling in the ambit of the functions assigned to the Commission and Orders issued thereof.
- (ii) Matters on which the statutory advice to the State Government has been made under sub-section 2 of Section 86 of the Electricity Act,2003,
- (iii) Investigation of the matters under Section 128 of the Act.
- (iv) Correspondence on appointment of consultants engaged by the Commission for providing assistance on determination of generation, transmission, Bulk and retail supply tariffs, various studies for HPSEB, preparation of regulations, legal and technical assistance etc.

11.7 The particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or administration thereof.

11.7.1 The Commission has appointed Sh. P. N. Bhardwaj, a retired Senior Engineer of HPSEB to represent the interest of the consumers in the proceedings before the Commission under the provisions of sub-section (3) of section 94 of the Electricity Act, 2003. In addition, the comments and suggestions on the draft regulations/guidelines framed by the Commission from time to time are also sought through advertisements in newspapers and prior gazette publication before finalizing these regulations/guidelines.

11.8 A statement of the board, councils, committees and other bodies consisting of two or more persons constituted as its part of or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other

bodies are open to the public, or the minutes of such meetings are accessible for public.

Please see Para No. 7 titled “State Advisory Committee” and Para No. 9 titled “Constitution of Co-ordination Forum and Membership thereof”

11.9 A directory of its officers and employees

11.9.1 DIRECTORY OF HPERC OFFICE AT KEONTHAL COMMERCIAL COMPLEX, KHALINI, SHIMLA-171 002

EPABX: 2627263, 2627907, 2627908,

FAX: 2627162

E-MAIL: hperc@rediffmail.com

WEBSITE: www.hperc.org

11.9.2 DIRECTORY OF HPERC OFFICERS AND EMPLOYEES

Sr. NO	NAME	DESIGNATION	OFF.NO	RES.NO.
1.	Sh. Yogesh Khanna	Chairman	2627262	2655082
2.	Sh. Purnima Chauhan	Secretary	2621003	
3.	Sh. J.P. Kalta	Executive Director (TA)	2627983	2673481
4.	Sh. Mahesh Sirkek	Executive Director (TFA)	Extn.-306	2811633
5.	Sh. R.S.Jalta	Director (T&D)	Extn.-305	2670596
6.	Sh. Vakil Singh	Sr. Private Secretary	2627262	2806208
7.	Sh. J.S.Raitka	Personnel -cum- Admn. Officer	Extn.-318	2674033
8.	Smt. Neeta Gautam	Deputy Director	Extn.-319	2624618
9.	Sh. Ajay Chadha	Deputy Director	Extn.-322	2657452
10.	Sh. Rajiv Sindhu	Deputy Director	Extn.-320	2811797
11.	Sh. Chander Verma	Sr. Accounts Officer	Extn.-315	94180-11720
12.	Sh. Mohinder Singh	Personal Assistant	2621003	2837249
13.	Sh. Satish Gharu	Personal Assistant	2627978	2623477
14.	Sh. Ajay Kaushish	Personal Assistant	2627263	2805744
15.	Sh. Ashok Gautam	Personal Assistant		
16.	Sh. B.S.Kanwar	Sr.Scale Stenographer	2627262	5533690
17.	Sh. Sushil Kashyap	Supdt. Grade-II	Extn.-316	2842831
18.	Mrs. Rama Mahajan	Sr. Assistant	Extn.-312	2674858

19.	Sh. Kamal Dilaik	Sr. Assistant	Extn.-311	2628025
20.	Sh. Raj Kumar	Record Keeper	Extn.-321	--
21.	Sh. Jagat Ram	-	--	--
22.	Mrs. Renu Vats	Jr.Scale.Stenographer	Extn.-312	98163-98983
23.	Sh. Dinesh Chauhan	Computer Operator	Extn. 403	941841-62400
24.	Sh. Om Parkash	Driver	--	2838248
25.	Sh. Sain Ram	Driver	--	98160-41592
26.	Sh. Room Singh	Driver	--	98160-02465
27.	Sh. Man Mohan	Peon	--	2624013
28.	Sh. Kishori Lal	Peon	--	2626745
29.	Sh. Med Ram	Peon	--	98160-21866

11.10 The monthly remuneration received by each of its officers and employees including the system of compensation is as provided in its regulations.

11.10.1 The detail of gross salary in respect of officers and staff of the Commission are :

Sr. No.	Name of the Employee	Gross salary
E.	Shri Yogesh Khanna, Chairman	52997/-
2.	Ms Purnima Chauahan, Secretary	54170/-
3.	Sh. J.P. Kalta, Executive Director (TA)	62,412/-
4.	Sh. Mahesh Sirkek, Executive Director	57,571/-
5.	Sh. R.S. Jalta, Director (T&D)	55,799/-
6.	Sh. Vakil Singh, Sr. Pvt.Secy.	44,407/-
7.	Sh. J.S. Raitka, Pers.- cum-Admn.Officer	33,966/-
8.	Dr. Neeta Gautam, Dy. Director	41,285/-
9.	Sh. Rajiv Sindhu, Dy. Director	44,914/-
10.	Sh. Ajay Chadha, Dy. Director	34,689/-
11.	Sh. Chander Verma, Sr. Accounts Officer	25,523/-
12.	Sh. Mohinder Singh Thakur, Personal Assistant	35,125/-
13.	Sh. Satish K. Gharu, Personal Assistant	33,526/-
14.	Sh. Ajay Kaushish, Personal Assistant	33,895/-
15.	Sh. Ashok Gautam, Personal Assistant	31,419/-
16.	Sh. Sushil Kashyap, Supdt. Grade-II	33,026/-
17.	Smt. Rama Mahajan, Sr. Asstt.	21,222/-
18.	Sh. Kamal Dilaik, Sr. Asstt.	20,522/-
19.	Sh. B.S. Kanwar, Sr. S. Stenographer	22,868/-
20.	Sh. Raj Kumar Sharma, Record Keeper	27,791/-

21.	Smt. Renu Vats, Sr.. Scale Stenographer	22,619/-
22.	Sh. Dinesh Chauhan, Clerk/Computer Operation	10,971/-
23.	Sh. Jagat Ram, Clerk	14,785/-
24.	Sh. Om Parkash, Driver	27,075/-
25.	Sh. Room Singh, Driver	15,699/-
26.	Sh. Sain Ram, Driver	23,648/-
27.	Sh. Manmohan Lal, Peon	15,125/-
28.	Sh. Kishori Lal, Peon	9,342/-
29.	Sh. Med Ram, Peon	13,328/-

11.10.2 The Service Regulations of the staff are yet to be approved by the Government of Himachal Pradesh. While the pay and allowances of the employees who are on secondment basis are being drawn on the basis of the LPC, whereas, the same in respect of the officers and staff to be recruited by the Commission shall be as proposed in the Draft Service Regulations except for those already appointed on permanent absorption basis.

11.11 Budget allocated to each of its agency indicating the particulars of all plants, proposed expenditures and reports on disbursements made

Please see para 8 – “Finance and Accounts”.

11.12 Manner of execution of subsidy programmes, including the amount allocated and the details of beneficiaries of such programmes

The Commission is a quasi-judicial body and execution of subsidy programmes does not fall in the ambit of its functions.

11.13 Particulars of recipients of concessions, permits or authorizations granted by it;

No such concessions, permits or authorizations have been granted by the Commission.

11.14 Details in respect of the information available to or held by it, reduced in an electronic form:

All regulations/guidelines and important orders issued by the Commission have been reduced in electronic form and are available on its website: www.hperc.org

11.15 Particulars of facilities available to citizens for obtaining information, including the workings of a library or reading room, if maintained, for public use:

As per Regulation 23 of the HPERC (Conduct of Business) Regulation, 2005 the records of every proceeding are open, for inspection of the parties or their authorized representative at any time, either during the proceedings or after the orders are passed, subject to payment of fees and compliance with such other terms as the Commission may direct. Certified copies of the documents of the Commission can also be obtained after payment of prescribed fees and following the procedure laid down in Regulation 24 of the aforesaid Regulation. The library of the Commission is not open to public use.

11.16 Names, designations and other particulars of the Public Information Officers

The particulars of the Public Information Officers notified by the Commission in compliance to Section 5 and 9 of the Right to Information Act, 2005 are as under:

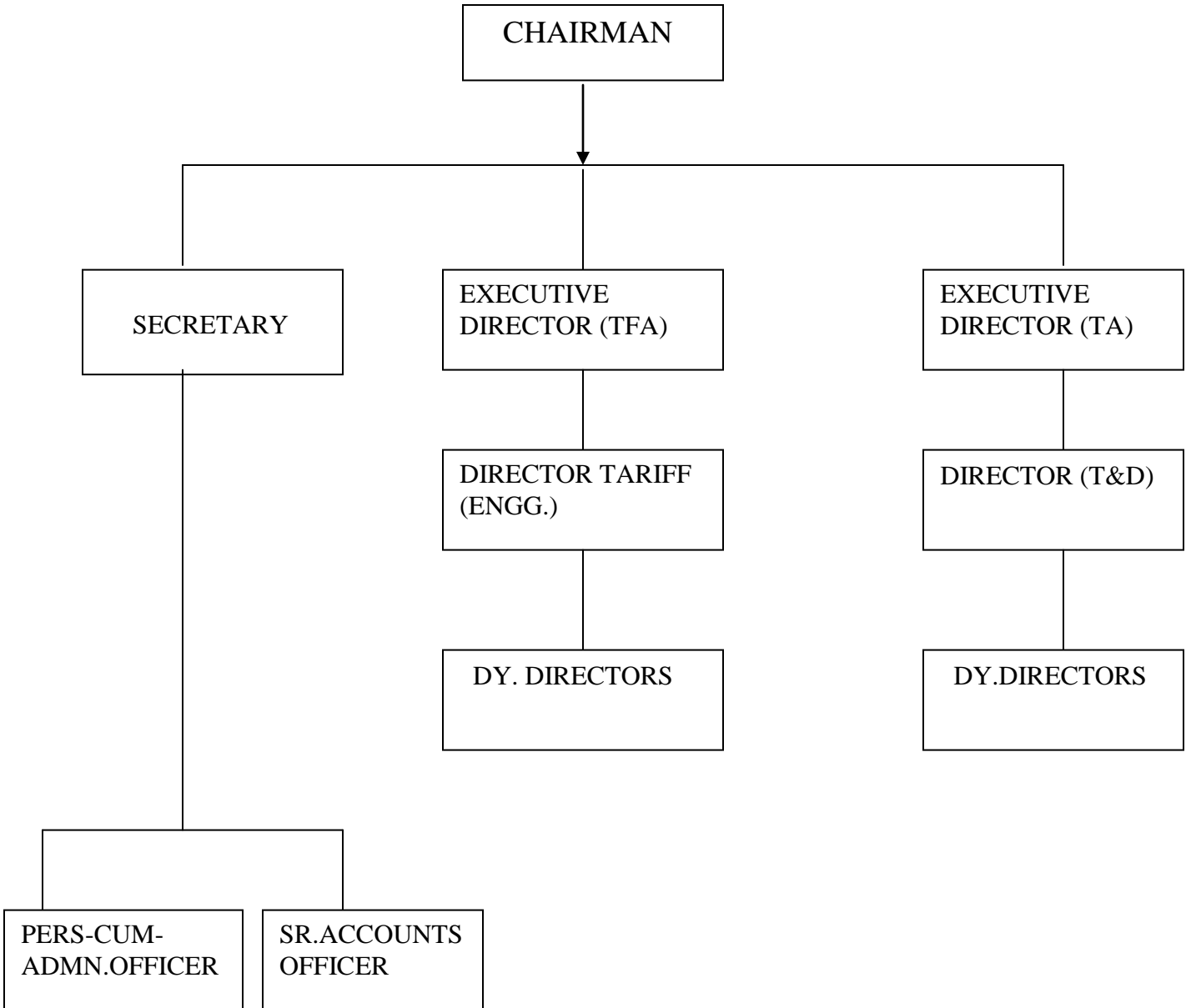
- | | |
|---|--|
| 1. Appellate Authority | Sh.Purnima Chuahan, Secretary, HPERC |
| 2. Public Information Officer | Sh. J. S. Raitka, Personnel-cum-Administrative Officer |
| 3. Assistant Public Information Officer | Mrs. Rama Mahajan, Sr. Asstt. |

11.17 Such other information as may be prescribed; and thereafter update these publications every year:

No other information is prescribed.

ANNEXURE-I

ORGANISATION CHART (PROFESSIONAL STAFF) AS ON 31.3.2009



ANNXURE-II

STAFF OF THE COMMISSION AS ON 31.3.2009

Sr. No.	Name & Designation	Date of joining w.e.f.	Mode of recruitment
1.	Sh. Yogesh Khanna, Chairman	31.1.2006	---
2. (i)	Sh. B.M. Nanta Secretary	18.02.2008 to 10.10.2008	By transfer on deputation
(ii)	Sh. Madan Chauhan Secretary	10.10.2008 to 28.2.2009	--do--
(iii)	Smt. Purnima Chauhan Secretary, HAS	28.02.2009	--do--
3.	Sh. J.P. Kalta, Executive Director (TFA)	01.02.2008	On deputation/ secondment
4	Sh. Mahesh Sirkek, Executive Director (TFA)	. 29.1.2009	On deputation/ secondment
5.	Sh. R.S. Jalta, Director (T&D)	2.11.2001	On deputation/ secondment
6.	Sh. Vakil Singh, Sr. P.S.	12.02.2001	On deputation/ secondment
7.	Sh. J.S. Raitka, PAO	17.11.2004	Permanent absorption
8.	Sh. Ajay Chadha, Dy. Director (TA)	01.09.2007	On deputation/ secondment
9.	Sh. Rajiv Sindhu, Dy. Director	19.09.2007	On deputation/ secondment
10	Dr. Neeta Gautam, Dy. Director (TE)	12.12.2006	On deputation/ secondment
11.	Sh. Chander Verma, Sr. AO	04.02.2008	On deputation/ secondment
12.	Sh. Mohinder Singh Thakur, APS	22.02.2001	On deputation/ secondment
13.	Sh. Sushil Kashyap. Supdt. (Gr.-II)	13.02.2009.	Permanent absorption
14.	Smt. Rama Mahajan, Sr. Asstt.	30.10.2004	Permanent absorption
15.	Sh. Kamal Dilaik, Sr. Asstt.	30.10.2004	Permanent absorption
16.	Sh. B.S. Kanwar, Sr. scale Stenographer	30.10.2004	Permanent absorption
17.	Sh. Satish Gharu,	19.11.2004	Permanent

	P.A.		absorption
18.	Sh. Dinesh Chauhan Computer Operator	01.08.2008	On deputation/ secondment
19.	Sh. Raj Kumar, Record Keeper	15.11.2007	On deputation/ secondment
20.	Sh. Ajay Kaushish, P.A.	14.02.2007	On deputation/ secondment
21.	Smt. Renu Vats Jr. Scale Stenographer	01.10.2008	On deputation/ secondment
22.	Sh. Om Parkash, Driver	12.1.2001	On deputation/ secondment
23.	Sh. Room Singh Driver	01.06.2007	On deputation/ secondment
24.	Sh. Jagat Ram, Clerk (against the post of PA)	13.10.2006	On deputation/ secondment
25.	Sh. Med Ram, Peon	01.009.2006	On deputation/ secondment
26.	Sh. Manmohan Lal, Peon	08.05.2002	On deputation/ secondment
27.	Sh. Kishori Lal, Peon	27.12.2005	Permanent absorption/ regularization
28.	Sh. Sain Ram, Driver	03.05.2008	On deputation/ secondment
29.	Sh. Ashok Gautam, P.A.	19.02.2009	On deputation/ secondment

ANNEXURE-III

**PARTICIPATION BY CHAIRMAN AND OFFICERS IN TRAINING,
CONFERENCES/ MEETINGS ETC. DURING THE YEAR 2008-09**

Sr.No.	Name	Designation	Period	Programme
1	Sh.Yogesh Khanna	Chairman	12 th -13 th May 2008	Conference on “Power Transmission in India” at Hyatt Regency, New Delhi.
			11 th -13 th Sept. 2008	“3 rd International Exhibition-cum-Conference to be held at Pragti Maidan, New Delhi.
			16 th -17 th Oct. 2008	International Congress on Renewable Energy (ICORE)-2008 at Hotel Le-Royal Meridien, Chennai.
2	Sh.B.M.Nanta	Secretary	29 th -30 th May 2008	Training course on “Public Private Partnership to be held at Hotel Mandovi (3 Star),Opp.Mandovi River, D.B.Marg, Panaji, Goa.
4	Er.J.P.Kalta,	Executive Director (TA)	28 th -29 th April 2008	Workshop on “Grid Security and Management” at Banagalore.
5	Sh.Mahesh Sirkek	Director (Tariff)	27 th -28 th November 2008	Third annual Conference on “Power Distribution in India”
			18 th -19 th December 2008	3 rd International Seminar on Energy Meters
6	Er.R.S.Jalta,	Dir.(T&D)	9 th –20 th June 2008	Training programme on “Asian Development Bank to be held at Washington DC.
7	Sh.J.S.Raitka	Personnel-cum-Administrative Officer	7 th -9 th - August 2008	Technical Workshop on “The Right to Information Act, 2005 and Handling of Court Cases” at Hotel “The Connaught”, 37, Shaheed Bhagat Singh Marg, Connaught Place, New Delhi-1.
8	Dr.Neeta Gautam	Dy.Dir. (TE)	9 th May 2008	Seminar on “Power Reforms at HPSEB Conference Hall, Vidyut Bhawan, Shimla-4.
9	Sh.Rajiv Sindhu	Dy.Dir.(TA)	9 th May 2008	Seminar on “Power Reforms at HPSEB Conference Hall, Vidyut Bhawan, Shimla-4.
10	Sh.A.K.Sharma	Dy.Dir.(CA)	9 th May 2008	Seminar on “Power Reforms at HPSEB Conference Hall, Vidyut Bhawan, Shimla-4.
			30 th –5 th July 2008	6-days residential “Capacity Building Programme” to be held at I.I.T. Kanpur (U.P).
11	Sh.Ajay Chadha	Dy.Director	11-13 th August, 2008	e-Learning Course on the Toyota Production system.

ANNEXURE-IV

**CASES FILED BEFORE AND DISPOSED OFF BY THE
H.P.ELECTRICITY REGULATORY COMMISSION AT SHIMLA
DURING THE YEAR 2008-09 AND STATUS THEREOF**

No.	Case			Description of the case	Date of receipt	Date of disposal
	No.	Plaintiff, Appellant or Petitioner	Defendant or Respondent			
1	Petition No.86/08	M/s Jawalaji Aloy Pvt. Ltd., Rajaka Bagh (Jasoor), Tehsil Nurpur, Distt. Kangra, HP.	1.Secy,HPSEB, Shimla. 2.SE, HPSEB, Dalhousie, Chamba. 3.Sr.XEN, HPSEB ,ESD, Nurpur, Distt.Kangra.	Appeal under Regulation 12-A of HPERC (Electricity Ombudsman) Regulation, 2004..	15.03.2008	03.05.2008
2	Petition No.87/08	M/s Global Energy Ltd., GESCO Corporate Centre, 70, Nehru Place, New Delhi-110019.	HPSEB	Application for the grant of Intra State Trading Licence in the State of HP.	05.04.08	Pending adjudication
3	Petition No.94/08	Suo Motu Notice	HPSEB thro' Secretary, Shimla-4.	Notice under section 142 of Electricity Act,2003 for non-compliance of the Commission's order dt.19.10.07 passed in case No. 92/07.	09.04.08	Pending adjudication
4	Petition No.95/08	M/s Mangalam Energy Dev. Co.Pvt. Ltd., New Delhi.	HPSEB	Application seeking benefit of deemed generation for evacuation of power in respect of PALOR-II HEP	10.04.08	24.05.2008
5	Petition No.96/08	1. HPSEB, thro CE (PSP,Shimla). 2. M/s Watermillers Power Co. Pvt. Ltd. Kulu,	-	Application for deletion of clause relating to the provisions of State Govt. Guarantee from the approved PPA in respect of CHHOR HEP.	11.04.08	31.05.2008
6	Rev.Petition No.97/08	M/s Dharamsala Hydro Projects Ltd., Plot No.30-A, Road No.1, Filam Nagar, Jublee Hills, Hyderabad.	HPSEB	Petition u/s 62 of Electricity Act, 2003 read with HPERC (Power Procurement from Renewal Sources and Co-generation by distributor Licensee) First Amendment of 2007, of HPERC, Reg.2007.	16.04.2008	24.05.2008
7	Review Petition..No. 107/08	1.HPSEB. 2.M/s Taraila Power Ltd., .	-	Joint petition seeking deletion of provision relating to the clause of Govt. Guarantee in respect of TARELA-III HEP	28.04.2008	31.05.2008
8	Review Petition No. 108/08	1. HPSEB 2. M/s Trident Power Systems Ltd..		Joint petition seeking deletion of provision relating to the clause of Govt. Guarantee in respect of UHL HEP	28.04.2008	31.05.2008
9	Review Petition No. 109/08	1. HPSEB 2. M/s Himachal Hydel Projects (P) Ltd., Shimla.		Joint petition seeking deletion of provision relating to the clause of Govt. Guarantee in respect of TULANG HEP	30.04.2008	31.05.2008
10	Review Petition No. 110/08	1. HPSEB 2 M/s Himachal Hydel Projects (P) Ltd., Shimla.		Joint petition seeking deletion of provision relating to the clause of Govt. Guarantee in respect of KURHED HEP	30.04.2008	31.05.2008
11	Petition No. 113/08	1. HPSEB thro' CE (PSP) Shimla.		Petition for approval of PP	03.05.2008	01.08.2008

		2. M/s Belij Hydro Power Ltd., Plot No.8-2-293/82/A? 431/A., Road No.22, Jublee Hills, Hydrabad –500033.		A in respect of BELJI Hydro Electrical Project (5 MW).		
12	Review Petition No. 115/08	1. HPSEB 2. M/s Chirchind Hydro Power Ltd.		Joint petition for deletion of clause relating to State Govt. Guarantee .	06.05.2008	31.05.2008
13	Review Petition No.120/08	HPSEB thro' CE (Coml) Shimla.		Review Petition under section 94 (f) of EA, 2003, for review of impugned order dated 05.04.2008.	15.05.2008	02.09.2008
14	Petition No 146/08	M/s Dharamsala Hydro Power Ltd.		Application for restoration under order 9 Rule 151 of CPC of Review Petition No.97/08 dismissed in default on 24.05.2008.	05.06.2008	23.08.2008
15	Compliance Case No.255/07 (147/08)		HPSEB	Appl for incorporating the subsidized tariff for MYT for 2008-09 for domestic and agriculture categories.	20.06.2008	Pending adjudication
16	Petition No.150/08	M/s A.T. Hydro Pvt. Ltd. & others	HPSEB	Petition under section 86 of E.A.2003 read with 68 of HPERC (Conduct of Business) Reg.2005 for evacuation of energy.	04.07.2008	23.01.2009
17	Petition No.153/08	1. HPSEB. 2. M/s Himalaya Vidyt Rural Electric Coop. Electric Ltd., Rohroo.	-	PPA in respect of JABBAL HEP (2 MW) in rohru, distt. Shimla.	14.07.08	01.08.2008
18	Petition No.154/08	1. HPSEB. 2.M/s Modi Power Pvt. L:td., New Delhi	-	PPA in respect of Upper Manglard HEP	14.07.2008	01.08.2008
19	Petition No.156/08	Jaswal Metal Pvt. Ltd., Trilokpur Road, Industriall Area, Kala Amb.	1. Secy,HPSEB 2. SE, HPSEB, Nahan. 3. AEE, HPSEB, Kala Amb.	Petition under Regulation No.52 of CBR & section 142 of EA, 2003 for upgradation of voltage of power supply.	15.07.2008	23.01.2009
20	M.A. No.159/08 in Case No. 31/08	1. HPSEB. 2. M/s Ascent Hydro Project Ltd.	-	Joint application seeking deletion of clause relating to Govt. guarantee in respect of MELAN HEP	22.07.2008	04.10.2008
21	M.A. No.160/08 in Case No.32/08	1. HPSEB. 2. M/s Ascent Hydro Project Ltd..	-	Joint application seeking deletion of clause relating to Govt. guarantee in respect of PANWI HEP.	22.07.2008	04.10.2008
22	Petition No.172/08	1. HPSEB, 2. M/s Brua Hydrowett (P) Ltd., Plot No.3, Baddi, The.Nalagarh, Distt.Solan..	-	Petition for approval PPA in respect of BRUA HEP (5 MW)	05.08.2008	23.08.2008
23	Petition No. 173/08	1. HPSEB 2. M/s Gehra Hydro Power Ltd. ,Plot No. 8-2-293/82 A/431/A, Road No.22, Jublee Hills Hyderbad.		Petition for approval of PPA in respect of GEHRA HEP. (2 MW)	05.08.2008	23.08.2008
24	Petition No.174/08	M/s Dharamsala Hydro Power Ltd., Plot nO.30A, Road No.1, Film Nagar, Jubilee Hills, Hyderbad.		Application for approval of common transmission system in res.pect of Maujhi (4.5 MW) SHEP.	06.08.2008	23.01.2009
25	Petition No.175/08	Suo motu Notice	HPSEB	Approval of supply of power to Intensive Units in HP – Notice under Reg-11 of HPERC (Conduct of Business) Reg.2005.	08.08.2008	Pending adjudication
26	Petition No.178/08	M/s HP Steel & Alloys Manufacturer Associaton, Kala Amb.	1. Secy,HPSEB 2.CE(Coml)HPSEB. 3. SE(O) HPSEB, Nahan.	Petition under section 42 (5) & 46 (6) of EA, 2003 for removal of grievance of electricity.	19.08.2008	20.12.2008
27	Petition No.183/08	M/s Virender Dogra Power Project (P) Ltd., Pathanakot.	HPSEB	Petition under section 62 of the Indian Electricity Act, 2003 read with HPERC (Power	20.08.2008	Pending adjudication

				Procurement from Renewal Sources and Co-generation by Distribution Licensee) First Amendment of 2007 of HPERC Reg.,2007.		
28	Petition No.184/08	M/s Patikari Power Pvt. Ltd. , 1st House, Bhumia Estate, Nav Bahar, Bhumian Road, Chhota Shimla02.	HPSEB	Petiton for revision of tariff for sale of power from Patikari Hydro Power Plant located on the Bhakli Khad, Distt. Mandi.	22.08.2008	Pending adjudication
29	Petition No. 187/08	1. HPSEB. 2. Ms Continental Intra-tech, Pvt. Ltd. R/o 203, Meridian Plaza, Ameerpet, Hyderabad Pvt. Ltd.	-	Petition for approval of PPA in respect of Haripur Nallah HEP.	23.08.2008	Pending adjudication
30	Petition No.188/08	1.HPSEB 2.M/s Raghupreet Hydro Projects Pvt. Ltd., R./o Village, Neuli, Sub-Tehsil Sainj, Distt. Kullu. HP.	-	Fresh Joint petiton for approval of PPA in respect of Kartaul HEP (2.4 MW) due to change in the name of executing company from Awadh Bihari Giri to M/s Raghupreet Hydro Project Pvt. Ltd.)	30.08.2008	16.09.2008
31	Review Petiton No.189/08	1.HPSEB 2. Ms. Himalaya Vidyut Rural Electric Coop Society, Rohru..		Application for deletiaon of clause relating to State Govt. Guarantee etc. in respect of JABBAL HEP (2 MW)	02.09.2008	04.10.2008
32	Review Petiton No.192/08	1. HPSEB 2. M/s Modi Power Pvt. Ltd.		Joint petiiton for deletion of clause relating to provisions of State Govt. Guarantee etc.	10.09.2008	01.11.2008
33	Petition No.199/08	M/s Chevron Hydel (P) Ltd., 285, Shekh Sarvi, RPS-I, New Delhi.	-	Petition under section 62 of E.A.,2003 read with HPERC (Power procurement from Revnwal Sources and Co-generation by Distribution Licensee) First Amendment, 2007 Regulation.	20.09.2008	Pending adjudication
34	Petition No.200/08	M/s Kapil Mohan & Associates Hydro Poer (P) Ltd.	HPSEB	Petition under section 10 and section 30, 39 (c) (d), 86 of EA, 2003 read with clause 68 of HPERC (Conduct of Business) Regulation.	24.09.2008	23.01.2009
35	Review Petiton No.203/08	M/s A.T. Hydro Power P. Ltd.	HPSEB	Application for restoration of the case dismissed in default on 20.9.08 udner Order 9 Rule 4 read with section 151 CPC (Petiton No.150/09	29.09.2008	22.11.2008
36	Review Petition No. 205/08	HPSEB	-	Review Petition under section 94 (f) of EA,2003 for review of impugned order dated 22.08.2008.	30.09.2008	24.02.2009.
37	Review Petiton No.211/08	HPSEB	-	Review petiton under section 94 (f) of EA,2003, for review of impugned order dated 30.08.2008 in case No.273/07	04.10.2008	24.02.2009
38	Review Petition No.212/08	HPSEB	-	Review petition under section 94 (f) of EA,2003, for review of impugned order dated 30.08.2008 in case No.274/07	04.10.2008	24.02.2009
39	Rev.Petition No. 216/08	1.HPSEB 2. M/s Raghupreet Hydro Project Pvt. Ltd.	-	Joint Petiton seeking deletion of clause relating to provison of State Govt. Guarantee etc.in respect of Kartaul HEP.	15.10.2008	22.11.2008
40	Petition No. 217/08	HPSEB thro` CE(Coml)		Petition under section 43, 46 & 62 of EA, 2003 for full justification for laying	15.10.2008	20.12.2008

				down the precedence for issuance of PAC and levy reasonable fees.		
41	Petition No.230/08	1. HPSEB 2. Gujrat Coastal Const.Ltd.		Application for deletion of clause relating to the provision of State Govt. Guaratnee in respect of SUIL-I HEP (5 MW)	03.11.2008	20.12.2008
42	Review Petition No.231/08	1. HPSEB 2. M/s Belij Hydro Power Ltd.		Application for deletion of clause relating to the provision of State Govt. Guaratnee .	03.11.2008	20.12.2008
43	Review Petition No. 234/08	1. HPSEB 2. M/s Sai Engineering Foundation, Sai Bhawan, New Delhi.		Application for deletion of clause relating to the provision of State Govt. Guarantee in respect of TOSS HEP.	18.11.2008	20.12.2008
44	Petiton No.250/08	.HPSEB. thro CE (Comml).	-	Determination of Revised ARR for the year 2009-10 & FY 20-11 under the First MYT Control Period (Fy 09—011) under section 62, 64 & 86 of EA, 2003.	28.11.2008	Pending adjudication
45	Petition No. 251/08	1. HPSEB 2. M/s DLI Power (India) Ltd.	-	Petiton for for approval of Power Purchase Agreement in respect of Nogli-I, HEP (2 MW) .	28.11.2008	Pending adjudication
46	Petition No. 252/08	1. HPSEB 2. M/s DLI Power (India) Ltd.	-	Petiton for for approval of Power Purchase Agreement in respect of Nogli, HEP (3 MW) .	28.11.2008	Pending adjudication
47	Petition No. 253/08	1. HPSEB 2. M/s DLI Power (India) Ltd.	-	Petiton for for approval of Power Purchase Agreement in respect of SARTU, HEP (2.4 MW) .	28.11.2008	Pending adjudication
48	Petition No. 254/08	1. HPSEB 2. M/s DLI Power (India) Ltd.	-	Petiton for for approval of Power Purchase Agreement in respect of RAJAUR, HEP (4.5 MW) .	28.11.2008	Pending adjudication
49	Petition No. 255/08	1. HPSEB 2. M/s DLI Power (India) Ltd.	-	Petiton for for approval of Power Purchase Agreement in respect of CHAUNDA, HEP (2.4 MW) .	28.11.2008	Pending adjudication
50	Petition No. 256/08	1. HPSEB 2. M/s DLI Power (India) Ltd.	-	Petiton for for approval of Power Purchase Agreement in respect of SAILAN, HEP (1.5 MW) .	28.11.2008	Pending adjudication
51	Review Petition No.260/08	1. HPSEB. 2. M/s Gujrat Coastal Construction Ltd.	-	Application for deletion of clause relating to provision of State Govt. Guaratnee.	05.12.2008	20.12.2008
52	Petiton No.261/08	1. HPSEB. 2. MS Gowthmi Renewable Power Ltd., Mandi.	-	Petition for approval of PPA in respect of SHATUL HEP (5 MW).	05.12.2008	Pending adjudication
53	Petiton No.262/08	1. HPSEB. 2. MS Silhakti Hydro Electric Co. PVt. Ltd., New Delhi.	-	Joint petiton for approval of PPA in respect of CHACHYOT HEP (3.5 MW)	05.12.2008	Pending adjudication
54	Petiton No.265/08	HPSEB	-	Petiton for allowing commissioning of the Call Centre w.e.f. 29 th September, 2008.	06.12.2008	30.04.2009
55.	Petiton No. 267/08	M/s Ascent Hydro Projects Ltd., Mumbai	HPSEB	Petition under section 62 of Electricity Act, 2003 read with HPERC (Power Procuremnet from Renewal Sources and Co-generation by Distribution Licensee) First Amendment of 2007 of HPERC Regulation.	15.12.2008	Pending adjudication
56.	Petiton No. 268/08	M/s Sarabai Enterprises Pvt. Ltd.	HPSEB	Petition under section 62 of Electricity Act, 2003 read with HPERC (Power Procuremnet from	15.12.2008	Pending adjudication

				Renewal Sources and Co-generation by Distribution Licensee) First Amendment of 2007 of HPERC Regulation.		
57	Petition No.278/08	M/s DSL Hydrowatt Ltd. Baddi, Solan, HP.	HPSEB	Petition under section 86 of EA,2003 read with Regulation 3 (3) of HPERC Power Procurement from Renewal Sources and Co-generation by Distribution Licensee) Regulation 2007 to allow the use of common transmission line.	26.12.2008	04.04.2009
58	Petition No.279/08	Suo Motu Notice	HPSEB and others	Suo Motu notice for amendment in the Model PPA approved in case No.02/2002.	26.12.2009	06.03.2009
59	Review Petition No.03/09	1. HPSEB 2. M/s Brua Hydrowatt Pvt. Ltd.	-	Application for deletion of clause relating to provision of State Govt. Guarantee etc. in respect of PPA BRUA HEP (5 MW)	20.01.2009	07.03.2009
60	Petition No.05/09	M/s Manglam energy Development Co. Pvt. Ltd.	HPSEB	Petition under section 62 of EA, 2003 read with HPERC (Power Procurement from Renewal Sources and Cogeneration by Distribution Licensee) First Amendment of Reg. HPERC, 2007.	28.01.2009	Pending adjudication
61	Petition No.23/09	Suo Motu Notice	The Chief Engineer(Transmission), HPSEB, Hamirpur.	Functioning of the Empowered Committee constituted under sub-regulation (1) of Reg.14 of the HPERC (Power Procurement from Renewal Sources and Co-Generation by Distribution Licensee) Reg.2007.	07.03.2009	16.03.2009
62	Petition No.24/09	Suo Motu Notice	The Chief Engineer(PSP), HPSEB, Shimla.	Functioning of the Empowered Committee constituted under sub-regulation (1) of Reg.14 of the HPERC (Power Procurement from Renewal Sources and Co-Generation by Distribution Licensee) Reg.2007.	07.03.2009	16.03.2009
63	Petition No.25/09	Suo Motu Notice	The Chief Engineer(SP), HPSEB, Shimla.	Functioning of the Empowered Committee constituted under sub-regulation (1) of Reg.14 of the HPERC (Power Procurement from Renewal Sources and Co-Generation by Distribution Licensee) Reg.2007.	07.03.2009	16.03.2009
64	Petition No.26/09	Suo Motu Notice	The Chief Engineer(O), HPSEB, Shimla.	Functioning of the Empowered Committee constituted under sub-regulation (1) of Reg.14 of the HPERC (Power Procurement from Renewal Sources and Co-Generation by Distribution Licensee) Reg.2007.	07.03.2009	16.03.2009
65	Petition No.27/09	Suo Motu Notice	The Director, HIMURJA, Shimla.	Functioning of the Empowered Committee constituted under sub-regulation (1) of Reg.14 of the HPERC (Power	07.03.2009	16.03.2009

				Procurement from Renewal Sources and Co-Generation by Distribution Licensee) Reg.2007.		
66	Petition No. 48/09	HPSEB	-	Petition for power to remove the difficulties in the HPERC(Recovery of Expenditure for supply of Electricity) reg. 2005.	21.03.2009	Pending adjudication

The old cases decided/disposed of by the Commission are as per detailed as below:-

No.	Case			Description of the case	Date of receipt	Date of disposal
	No.	Plaintiff, Appellant or Petitioner	Defendant or Respondent			
1	109/04	M/s Emm Tex Synthetics Ltd., Nalagarh, Distt.Solan,HP.	HPSEB and another	Complaint u/s 142 of EA, 03 for non-compliance of order dated 3.8.02 passed in complaint No.3/02 by the respondents – illegal unjustified supplementary demand of Rs. 12.91.800/-	19.06.2004	30.04.2008
2	146/04	Sh.Bisham Chauhan S/o Sh.M.L.Chauhan Mohan Bldg. Sanjauli, Shimla	1. HPSEB 2.AEE ESD,Dhali,Shimla -12	Petition u/s 57 of EA,03 for giving the direction to the respondents to restore the electricity supply	25.09.2004	30.04.2008
3	89/05	M/s Mehatpur Ind. Assn. Industrial Area, Mehatpur, Distt. Una, HP.	1. HPSEB & AEE ESD Mehatpur.	Petition under section 56 of EA, 03 with regard to sundry charges on account of light load used in peak load used in peak load hours	23.03.2005	30.04.2008
4	242/06	M.s Himalayan International Ltd. Shubha Khara, Poanta Sahib.	HPSEB	Complaint under HPERC (CoB) Regulation, 2003.	22.11.2006	24.05.2008
5	202/07	M/s Tissa Power Transmission Corporation, A consortium of Independent Power Producers, having its corporate office at Plot No. 125, Road No. 71, Nava Nirman Nagar, Jubilee Hills, Hyderabad –500 033, Andhra Pradesh through Sh.S.N.Kapur, Chief Executive Officer, and Sh.M.Ramesh Reddy, Executive Officer, C-15, Lane-1, Sector-1, New Shimla.	HPSEB	Petition u/s 94 of the Indian E.A.,2003, read with clause 3(6) of HPERC Regulation, 2007.	22.08.2007	22.08.2008
6	273/07	M/s Chandigarh Iron and Steel Company Ltd., Village Bated Baddi Road, Barotiwala, Distt. Solan, HP.	1. Secy,HPSEB 2. CE(Comml), HPSEB, Shimla-4.	Application u/s 142 & 143 of EA,03 for securing compliance of HPERC (Licensee's Duty for Supply of Eley on request) Reg.,04and awarding compensation for continuing of connection in contravention of the relevant regulations.	22.12.2007	30.08.2008
7	274/07	M/s Sri Rama Steels Ltd., Village Bated Baddi Road, Barotiwala , Distt. Solan, HP.	1. Secy,HPSEB 2. CE(Comml), HPSEB, Shimla-4.	Application u/s 142 & 143 of EA,03 for securing compliance of HPERC (Licensee's Duty for Supply of Eley on request) Reg.,04and awarding compensation for continuing of connection in contravention of the relevant regulations.	22.12.2007	30.08.2008
8	.260/07	M/s Morepenn Laboratories., Parwanoo, Distt.Solan, HP.	HPSEB	Appeal under Regulation 12-A of HPERC(Electricity Ombudsman) Reg.2004 against Order No.07/06 passed by the Electricity Ombudsman	11.12.2007	30.08.2008
9	.262/07	M/s Morepenn Laboratories.,	HPSEB	Appeal under Regulation	11.12.2007	30.08.2008

		Parwanoo, Distt.Solan, HP.		12-A of HPERC(Electricity Ombudsman) Reg.2004 against Order No.08/06 passed by the Electricity Ombudsman		
10	32/07	M/s Coral Health Care Pvt.Ltd. Parwanoo, Distt.Solan, HP.	HPSEB	Petition under section 132 of the EA, 2003.	17.02.2007	30.04.2008
11	175/07	M/s Time Technoplast Ltd., Sai Road, Baddi, Distt.Solan, HP.	HPSEB	Complaint under HPERC (Conduct of Business Regulation, 2005) r/w EA, 2003 as amended from time to time against the respondent.	28.07.2007	30.04.2008
12	Suo Motu Notice/ Case No.239/07	Suo Motu Notice	HPSEB thro Secretary, Viduyut Bhawan, Shimla	Time and Cost over-run of KHAULI (12 MW) Hydropower Project executed by HPSEB.	03.11.2007	16.09.2008
13	256/07	M/s Jaiparkash Hydro Power Ltd., Juit Complex, Waknaghat PO Dumehar Bani, Kanadaghat - 1732215	HPSEB HP Govt.	Filing of Tariff application for Tariff Year 2008-09 to Tariff year 2010-11 in terms of HPERC terms and condones for determination of Hydro Generating Tariff) Reg.2007- BASPA-II 300 MW HE Station	01.12.2007	30.03.2009
14	219/07	M/s Padmavati Steels Ltd., Village Johron, Trilokpur Road, Kala-Amb.	HPSEB	Application u/s 142 & 146 of the EA, 2003 for securing compliance of the HPWERC (Licensee's Duty for supply of electricity on request) Regulations, 2004.	26.09.2007	22.08.2008

As required, the above details/status of the petitions filed before the Commission are sent herewith for doing the needful.

ANNEXURE-V

STATE ADVISORY COMMITTEE MEMBERS OF THE COMMISSION

Sr. No.	Name, Designation & Address	Designation in the committee
1.	Chairman HP Electricity Regulatory Commission Shimla-171002	Ex-officio- Chairman
2.	Chairman, HPSEB, Vidyut Bhawan, Shimla-171 004.	Member
3.	Principal Secretary (MPP&Power), to the H.P.Government. Shimla-171002	Member
4.	Secretary, Food, Civil Supplies & Consumer Affairs, Govt. of H.P. Shimla-171002	Member
5.	Sh. T.N. Thakur, Chairman-cum- Managing Director, Power Trading Corporation India Ltd., 2 nd Floor, NBCC Tower, 15 Bhikaji, Cama place, New Delhi-110066 Ph.011-241659501	Member
6.	Head of Department (Electrical Engineering National Institute of Techonology, Hamirpur Distt. Hamirpur (H.P.)	Member
7.	The Chairman-cum-Managing Director Satluj Jal Vidyut Nigam Ltd. Himfed Building New Shimla-171009.	Member
8.	Chief Executive Officer, HIMURJA,SDA Complex, Kasumpti,Shimla-171009	Member
9.	One of the Members of HPSEB (as may be nominated by the Chairman,HPSEB)	Member
10.	Sh. Rajesh Kumar Mehndiratta, Vice President, India Energy Exchange Ltd., 401, 4 th Floor, Boston House, Suren Road, Andheri (East), Mumbai-400093 Ph. 09967575623.	Member
11.	Director Agriculture, Directorate of Agriculture, Krishi Bhavan, Shimla-171005	Member
12.	Sh.J.C.Sharma, Retired Member, HPSEB Sharma Cottage, Near Bharari Sub Station, Kelston, Shimla-171001 (H.P.).	Member
13.	Sh. P.N. Bhardwaj, Arcadia, P.O. Dharampur, Distt. Solan (H.P.)-173209	Member

14.	The President, Shimla Hotel & Restaurant Association C/o Hotel Shivalik, Ridge Shimla (H.P.)	Member
15.	The Managing Director, H.P. Power Corporation Ltd., Himfed Bhawan, Below Old MLA Quarters, Panjri, Shimla-171 005.	Member
16.	The Chairman, CII, H.P. Council, Sector 31-A, Chandigarh-160030.	Member
17.	The Chairman, Himachal Committee, PHD CCI, Room No. 205, Udyog Bhawan, Shimla-1.	Member
18.	The Convener, H.P. Small Hydro Power Association, B-99, Sector-3, New Shimla-171009 (HP)	Member