

**ANNUAL ADMINISTRATIVE REPORT
2012-2013**

**वार्षिक प्रशासनिक रिपोर्ट
2012–2013**



**HIMACHAL PRADESH
ELECTRICITY REGULATORY COMMISSION**
हिमाचल प्रदेश विद्युत विनियामक आयोग

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Chapter –1

Constitution of Electricity Regulatory Commission

1.1 Legislative Provisions:

The HP Electricity Regulatory Commission (HPERC) was constituted by the Govt. of Himachal Pradesh under the Electricity Regulatory Commission Act, 1998 in December 2000 and started functioning with effect from 06th January, 2001. At that time, the electricity industry in the country was governed by three enactments namely, the Indian Electricity Act, 1910; the Electricity (Supply) Act, 1948 and the Electricity Regulatory Commission Act, 1998. The Act of 1910 created the basic legal framework for the electricity supply industry in India, and the Act envisaged growth of the electricity industry through private licensees. It created legal framework for laying down of wires and other works relating to Electricity Supply Act of 1948 mandated the creation of the State Electricity Boards (SEBs). It was felt that electrification which was limited to cities needed to be extended rapidly and the State should step into shoulder the responsibility. However, over a period of time, the performance of SEBs deteriorated owing inter-alia to the position of SEBs in not being able to take decision on tariffs in a professional and independent manner and the tariff determination in practice being done by the State Governments. To address this issue and to provide for distancing of government from determination of tariffs, the Electricity Regulatory Commission Act, 1998 was enacted. This Act created the Central Electricity Regulatory Commission (CERC) and had the enabling provisions for the creation of State Electricity Regulatory Commissions (SERC) by the States Governments. Many State Govt., had enacted their own Acts to bring in reforms in the electricity sector. Under the State Reforms Acts, States like Orissa, Haryana, Andhra Pradesh, Karnataka, Rajasthan and Uttar Pradesh had already undertaken reforms in the direction of unbundling SEBs into separate Generation, Transmission and Distribution Companies through their respective transfer schemes and establishing SERCs.

The Electricity Act, 2003 was enacted on 26th May, 2003 to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas, rationalization of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution of Central Electricity Authority, State Electricity Regulatory Commissions and establishment of Appellate Tribunal. This Act of 2003 mandated private sector participation in generation, transmission and distribution, the distancing of Governments from regulatory responsibility, harmonisation and rationalisation of the previous three Central Acts of 1910, 1948 and 1998 into a single legislation while preserving core features other than those relating to the existence of SEBs, obviating the requirement of each State Government to pass its own Reforms Act while also obviating the regulating of licensees by the State Government and SEBs.

All the State Electricity Regulatory Commissions constituted under the 2003 Act, and also the Central Electricity Regulatory Commissions and State Electricity Regulatory

Commissions created under the 1998 Act and under the State Reforms Acts, now functions under the Electricity Act, 2003. These Commissions functions as statutory bodies with a quasi-judicial and legislative role and functions.

1.2 Objectives of the Constitution of State Commissions:

With the policy of encouraging private sector participation in generation, transmission and distribution and the objective of distancing the regulatory responsibilities from the Government to the Regulatory Commissions, it was necessary to have national registration providing for a comprehensive and uniform regulatory frame work in the country, at national and the State level for all the States and also for newer concepts of markets development including open access and trading. Therefore, the main objectives of the Electricity Act 2003 is to enable the power sector to develop and commercial principles by encouraging and facilitating investments, competition and market development thereby ultimately benefiting the electricity consumers by making available quality supply at competitive rates. In this context the role of the State Commission's is pivotal in order to realise the objectives envisaged in the Electricity Act and Policies framed there under.

1.3 Functions of the State Commission:

The main functions of the Commission is determination of tariff for generation, transmission and supply of electricity and facilitate transmission and wheeling of electricity based on commercial principles that would encourage investments, competition and efficiency in power sector and at the same time safeguarding consumers' interest in terms of tariff, quality of service and an effective grievances redressal.

As per section 86(1) of the Electricity Act, 2003, the State Commission has been assigned 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.

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.

Chapter-2

Himachal Pradesh Electricity Regulatory Commission (HPERC)

2.1 Constitution of Commission

The Himachal Pradesh Electricity Regulatory Commission is a statutory organization and is a body corporate established on 30.12.2000 under the Electricity Regulatory Commission Act, 1998 (14 of 1998) and started functioning from 6th January, 2001 with its headquarter at Shimla. As per Section 82 of the Electricity Act 2003, the Electricity Regulatory Commission, under the Act of 1998 shall be the State Commission for the purpose of the Act of 2003.

As per Section 82(4) of the Electricity Act, 2003, the State Commission shall consist of not more than three Members, including the Chairperson.

Chairperson and Members of the State Commission are appointed by the State Govt. on the recommendation of a Selection Committee headed by a person who has been a Judge of the High Court and comprising of Chief Secretary of the concern State and the Chairperson of the Central Electricity Authority or Chairperson of Central Electricity Regulatory Commission as Members and shall hold office for 5 years or up to 65 years of age, whichever is earlier.

The State Commission, at present is only one member Commission. Sh. S.S. Gupta was the first Chairman of the Commission w.e.f. 06.01.2001 to 05.01.2006 and thereafter Sh. Yogesh Khana remained as Chairman w.e.f 31.01.2006 to 29.01.2011. Presently, Shri Subhash Chander Negi is the Chairman of the Commission w.e.f. 01.02.2011.

2.2 Organisation Structure

2.2.1 Multidisciplinary Team:

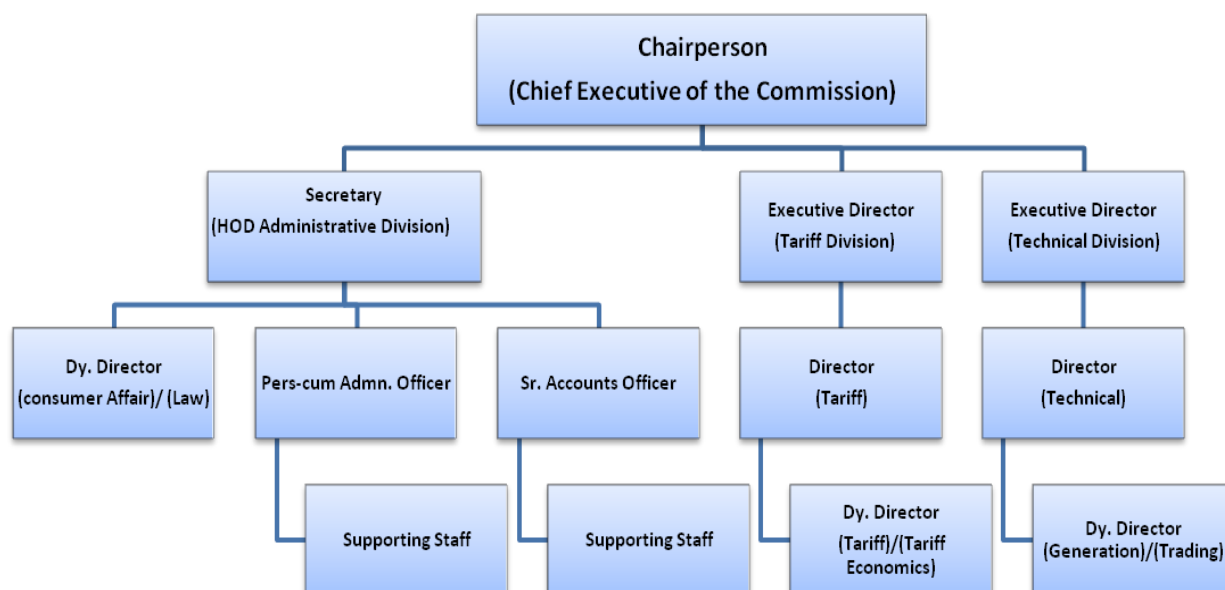
The nature and scope of the functions of the Commission as laid down under the Electricity Act 2003 require its Members and staff to have varied knowledge and experience as is apparent from the qualifications laid down for appointment of Chairperson and Members of the State Commissions wherein persons of ability, integrity and standing who have adequate knowledge of, and have shown capacity in, dealing with problems relating to engineering, finance, commerce, economics, law or management shall be considered. Accordingly, the Commission has a small team of officers having different professional background, most of them appointed on secondment basis, and assisted by a small group of administrative, secretarial and support staff. In addition, in certain matters, the Commission is availing the services of consultants as per provisions of section 91 of the Act and also outsourcing certain functions like office security, reception, office help, sanitation etc.

2.2.2 Sanctioned Strength:

The number and nature of posts and salaries and allowances and other terms and conditions of service are specified by the Commission with the approval of the Govt. of Himachal Pradesh. The total sanctioned strength of the officers and other employees of HPERC is 46, out of which 26 were in position during the year. In spite of repeated efforts, the Commission had not been able to fill up the posts, mainly because either the lending organizations are unable to spare services of their staff and/or in absence of any incentive, persons are not willing to be posted on secondment basis.

2.3 Structure:

The Commission has its only office at Shimla. The organization structure is best depicted by the following organizational chart:-



2.4 Allocation of Functions:

The Commission has its office at Shimla. Chairperson is the Chief Executive of the Commission. The office of the Commission has three Divisions namely, Administrative, Technical and Tariff Divisions. Various functions of the Commission are allocated to these Divisions and their Heads as under:-

2.4.1 Administrative Division

This Division is headed by the Secretary of the Commission who is a senior member of HP Administrative Services and provides a vital support service to the Commission in administration, finance and legal matters, recruitment of executive and non-executive staff and overseeing operational matters such as Co-ordination and liaisoning with State and Centre Govt. and its organization, budget, purchases and procurement, maintenance and care taking, personnel management, legal and court matters, training and performance appraisal etc. are its key functions.

- **Secretary**

Secretary is the head of the Secretariat and Administration Division of the Commission. He is an interface between the Commission and various wings of the Commission, the Centre and the State institutions and Stakeholders. He advises the Commission on all matters of policy and administration. In particular, the Secretary performs the following functions:-

1. To discharge functions as Head of Department of the Commission and such other functions under the provisions of FRs & SRs, HP Financial Rules and other Civil Service Rules adopted for the Commission.
2. To act as ex-Officio-Secretary to organize periodical meetings of State Advisory Committee.
3. To discharge duties as per provisions specified in HPERC (Conduct of Business) Regulation 2005, and as :-
 - (a) to receive or cause to receive all petitions, applications, other filings or references pertaining to the Commission;
 - (b) to prepare or cause to prepare the briefs and summaries of all such filings presented before the Commission;
 - (c) to assist the Commission in proceedings conducted by the Commission;
 - (d) to authenticate the orders passed by the Commission;
 - (e) to ensure compliance of the orders passed by the Commission;
 - (f) to collect or cause to collect from the State Government, the Central Government and their agencies, the State electricity utilities or other offices, companies and firms or any other person as may be directed by the Commission, such information as may be considered useful for the purpose of efficient discharge of the functions of the Commission under the Act;
 - (g) to maintain a copy of statutory notification, rules, orders and directions made under the Act by the Central Govt., CEA, the State Government and CERC.
 - (h) to maintain in chronological order the authentic copies of regulations, statutory notification, order of the Commission and to keep the register containing their particulars.
 - (i) to provide all orders, directions and regulations made by the Commission on the website of the Commission.
 - (j) to accept on behalf of the Commission, the service of the summon and he also signs and verify the complaints and pleadings.
4. To ensure proper conduct and discipline of the officers/staff of the Commission.
5. Grievance redressal and consumer redressal.

6. To discharge any other functions assigned in any regulation under provisions of Electricity Act, 2003.
7. Any other duty assigned and delegated by the Commission.

2.4.2. Technical Division

This Division deals with the regulatory affairs, which comprise of framing of Regulations, Grid Code, and Distribution Code, Supply Code etc. and associated functions, the preparation and review of cost allocations and rate design proposals, analysis and assessment of T&D losses and AT & C losses, evaluation of technical performance and standards of service, load forecasts, power purchase agreements etc. This Division is headed by Executive Director, which is in the rank of Chief Engineer (Electrical). He is assisted by one Director (Technical), who is in the equivalent rank of Superintending Engineer and two Deputy Directors and support staff.

Executive Director (Technical)

1. To provide expert advice to the Commission on issues relating to engineering, economics, statistics and other technical elements of policy analysis;
2. To understand and analyze the technical aspects of the evidence presented and assist the Commission in writing orders;
3. Undertake specific tasks, pertaining to cost allocation and rate design proposals, analysing and evaluating utility planning and operating decisions, reviewing plans and specifications of major utility construction projects, inspecting system improvement on site, monitoring utility reports, evaluating technical performance and standards of service;
4. Examine, analyze and evaluate the Power Purchase Agreements (PPAs);
5. Assist the Commission in issuing licenses to person seeking to act as transmission licensee, distribution licensees and electricity traders with respect to their operations within the State.
6. Review and approval of all investment programmes, technical standards and procedures, grid and distribution codes, service standards, financial and economic standards, technical inspection and collection, compilation and analysis of technical data;
7. Prepare and review all relevant Regulations under the Electricity Act, 2003;
8. Inter State and intrastate transmission issues and other provision related to transmission facilities and distribution of electricity;
9. Facilitate/monitor implementation of Open Access.
10. 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 consumption of electricity in the area of a distribution licensee.
11. Any other duty assigned by the Commission.

2.4.3. Tariff Division

This Division deals with 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, review of the financial performance and compliance reports of utilities. This Division is headed by Executive Director which is in the rank of Chief Engineer (Electrical). He is assisted by one Director(Tariff), who is in the equivalent rank of Superintending Engineer and also two Deputy Directors and support staff.

Executive Director (Tariff)

1. Framing of Tariff Regulations and to determine tariff for generation, supply, load despatch, transmission and wheeling of electricity, wholesale, bulk or retail as the case may be within the state.
2. Handle the tariff related matters keeping in view the National Electricity Policy, National Electricity Plan, Tariff Policy and State Electricity Policy
3. Assist Commission in preparation of testimony and other material relating to cost of capital, finance charges, revenues, expenses, depreciation and tariff design etc.
4. Assist in the preparation of questions for cross-examination on accounting and finance matters, present direct testimony, evaluate rate case exhibits and advise the Commission on financial and economic issues.
5. Review and approval of all investment and development of the utilities.
6. Review of financial performance and compliance reports as well as submission of major incidents by the utilities.
7. Monitoring and compliance of T&D losses, AT&C losses.
8. Monitoring of standard of performance.
9. Any other duty assigned by the Commission.

CHAPTER-3

Decision making process, including channels of supervision and accountability

The Electricity Act, 2003 empowers the State Commission inter alia to frame different regulations, issue Orders under these regulations and to act and dispose off the petitions brought before it from time to time. While discharging these responsibilities, the Commission takes decision within the provisions of Act, Rules, Regulations, CPC, orders of Central Electricity Regulatory Commission/Appellate Tribunal for Electricity/Supreme Court of India competent court and the provisions of Tariff Policy, Electricity Policy, Forum of Regulator's recommendations etc. 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. The Commission takes its decision independently in quasi judicial function and wherever technical support is required, it consults its technical team as well as the consultants appointed by it. So far as internal decision making process is concerned, 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. However, routine decisions are taken in terms of rules and regulations and delegation of powers.

The Commission has structured its working through three Divisions namely Administration, Finance and Legal Division, Technical Analysis Division and Tariff and Financial Analysis Division. Three Divisions are headed by the Secretary, Executive Director (Technical) and Executive Director (Tariff) respectively. All matters relating to the respective Divisions are dealt with by the supporting staff posted therein or directly by the technical officers; and, the staff is answerable to the head of division. Similarly Heads of all Division submit the documents and reports to the Chairman/Commission. While exercising power and discharging its duties, the State Commission ensures utmost transparency in its decision-making and follows the principles of natural justice including personal and public hearings.

CHAPTER-4

Norms for the discharge of its functions.

The working of the Commission is regulated in terms of the Electricity Act, 2003, relevant rules and regulations and Govt. policies. In main spheres, the Electricity Act, 2003 specify the time limit for decisions for its major functions such as tariff determination and issuing of licenses. All the matters pertaining to tariff determination or arising out of or related to tariff determination are also expected to be decided as per time schedule of 120 days from receipt of application prescribed under the Act. However, due care is also taken to ensure that the principles of the natural justices is met. Norms for discharging of various functions as provided in the Office Manual for Government Department are also being followed by the Commission. So far as the norms for sanctioning various expenditure is concerned, the Commission in terms of Rule 5 of the Fund Rules has prescribed a financial procedure/delegation amongst Commission, Chairman, Secretary and Drawing and Disbursing Officer for sanctioning various kinds of expenditure.

CHAPTER-5

Budget indicating the particulars of plans, proposed expenditures and disbursements made

The Commission receives budget from the State Government annually in the shape of Grant-in-aid for payment of salary & allowances. Rs.90 lacs were allotted to this Commission for the year 2012-13 as Grant-in-aid under Major Head of Account: 2801-80-800-01-SOON-41 Non plan. No further allocation of funds is made by the Commission as it has no subordinate offices. All the receipts and payments of the Commission were regulated through Commission's own Fund Rule as established and made operative vide GoHP notification No. MPP-A (3)-7/2004 dated 03.05.2007. The Annual Accounts of the Commission for the year 2012-13 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 2012-13 works-out to Rs.497.04 lacs, whereas the expenditure for the relevant year was Rs.308.56 lacs, thereby the excess of income over expenditure as disclosed by the Income and Expenditure Account of the year ended 31.03.2013 works-out to Rs.188.48 lacs.

5.1 Financial position of the Commission

The financial position of the Commission as on 31.03.2013 is as under:-

(Rs. in lacs)

Liabilities		Assets	
Particulars	Amount	Particulars	Amount
Corpus Fund	1687.85	Fixed Assets	28.48
Current liabilities & Provisions	32.64	Fix Deposit Receipts in bank	1401.63
		Other Current Assets & Advances	240.23
		Security Deposits	0.57
		Cash & Bank Balances	49.58
Total:-	1720.49		1720.49

5.2 Laying of Annual Accounts of the Commission in Vidhan Sabha

The Annual Accounts of the Commission for the year 2012-13 were prepared as per provisions contained in the Fund Rules and accounts so certified by the C.A.G. of India together with Audit report thereon were 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 and the same were laid on the table of the House on dated 04.02.2014.

CHAPTER-6

Summary of Commission's Activities during the year

During the year, the following activities have been undertaken by the Commission:-

6.1 Administration, Finance & Legal Division

During the year 2012-13, the Annual Administrative Report and Annual Accounts for the year 2011-12 were finalised and sent to Government for laying the same before the State Legislature. All purchases and procurements were made as per requirement of the Commission. Apart from above, all regulations finalised by the Commission during the year were also laid before the State Legislature. Audit of the Commission for the year 2011-12 was conducted by the audit team of the office of C & AG of India. During the year, the Commission sponsored its officers for various trainings/conferences/workshops/meetings within and outside the State.

6.1.1 Adjudication - 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 2012-13, out of 47 petitions received by the Commission from various petitioners and stakeholders under the Electricity Act, 2003, it decided and disposed of 35 petitions whereas 12 petition were pending for adjudication as on 31.03.2013. The details of petition filed, decided & pending cases are as under:-

No	Case			Description of the case	Date of receipt	Date of disposal
	No.	Plaintiff, Appellant or Petitioner	Defendant or Respondent			
1	Petition No.67/2012	M/s Tejassarnika Hydro Energies Private Limited.	HPSEBL	Petition for approval of PPA	4.4.2012	7.4.2012
2	Petition No.68/2012	M/s Ranga Raju Warehousing (P)Ltd.	HPSEB Ltd.	Petition for approval of PPA	4.4.2012	7.4.2012
3	Petition No.69/2012	M/s Chamunda HEP	HPSEB Ltd.	Petition for approval of PPA	4.4.2012	30.4.2012
4	Petition No.70/2012	M/s Jirah Small Hydro Elect. Project.	HPSEBL	Petition for approval of PPA	5.4.2012	16.4.2012

5	Petition No.74/2012	M/s K.K.Hydro Power	HPSEB Ltd.	Petition under section 86 & 94 of the Electricity Act, 2003.	10.4.2012	16.3.2013
6	Petition No.82/2012	M/s Himachal Chamber of Commerce & Industry	HPSEB Ltd.	Petition under section 43, 86 of the Electricity Act, 2003, read with provisions of HPERC (ROE of Elect. Supply) Regulation, 2005.	3.5.2012	27.11.2012
7	Petition No. 84/2012	M/s JPVL	HPSEB Ltd.	Application for truing up of interest on arrears in respect of tariff for sale of power from Baspa-II to HPSEBL for FY 2003-04 to FY 2010-11 pursuant to order dated 19.4.2012 passed by Appellate Tribunal for electricity in appeal No. 178/2010 in respect of interest on arrears.	4.5.2012	The order of the APTEL in the case has been challenged in the Hon;ble Supreme Court by HPSEB Ltd. Hence pending adjudication.
8	Petition No. 86/2012	M/s Batot Hydro Power Ltd.	HPSEB Ltd.	Petition for approval of PPA	16.5.2012	5.9.2012

9	Petition No. 88/2012	M/s Kala Amb Chamber of commerce & Industry, Trilokpur Road, Kalaamb.	HPSEB Ltd.	Petition under regulation No. 52 of CBR & 142 of EA, 2003	22.5.2012	27.11.2012
10	Review Petition No. 89/2012	HPSEB Ltd.	-	Review petition in the Commission against the Ist APR order (2 nd MYT control period & tariff order for FY 2012-13 on 24 th April 2012.	24.5.2012	23.10.2012
11	Petition No.91/2012	M/s Ranga Raju Ware Housing Pvt. Ltd.	HPSEB Ltd.	Petition for amending the clause as has been incorporated in Model PPA for sale of IPPs under REC mechanism at average Power Procurement Cost.	30.5.2012	16.7.2012
12	Petition No. 92/2012	M/s Kapil Mohan & associates Hydro Power (P)Ltd.	HPSEB	-do-	5.6.2012	16.7.2012
13	Petition No. 93/2012	M/s Yogindera Power Ltd.	HPSEB Ltd.	-do-	5.6.2012	16.7.2012

14	Petition No. 94/2012	M/s Him Power Associate Ltd.	HPSEB Ltd./ Dogra Power Projects.	Application for seeking directions to the Chief Engineer Operation/ Project HPSEB Ltd. Shimla to assess actual cost of interfacing at 33/11 KV sub station at Koti.	7.6.2012	16.7.2012
15	Petition No. 100/2012	M/s Yogindera Powers Ltd.	HPSEB Ltd.	Petition u/s 86 & 94 of the IE Act, 2003 read with HPERC, Regulation, 2007 for issuance of appropriate orders/ directions on the submission made hereinafter.	21.6.2012	25.7.2012
16	Petition No. 101/2012	M/s JPVJ	HPSEB Ltd.	Application for trying up of tariff for sale of Power from BASPA-II HEP to HPSEBL for FY 2003-04 to 2010-11 and Revision of tariff for the control period FY 2011-12 to FY 201-14.	25.6.2012	6.9.2012
17	Petition No. 104/2012	HPSEB Ltd.	M/s Batot Hydro Power Ltd.	Joint petition for cancellation of approved PPA dated 29.07.2006	4.7.2012	5.9.2012

18	Review Petition No. 105/2012	M/s BBNIA	-	Review petition in r/o tariff order dated 24.4.2012	4.7.2012	27.11.2012
19	Petition No. 107/2012	HPSEB Ltd.	M/s Ginni Global	Petition for approval of Joint Petition u/s 86(1) of EA,2003	12.07.20 12	16.8.2012
20	Petition No. 114/2012	M/s Jeet Singh	HPSEB Ltd.	Petition u/s 67 (3) of EA Act, 2003 for payment of compensation on account of damage.	20.7.201 2	31.8.2012
21	Petition No. 115/2012	M/s Mangal Singh	HPSEB Ltd.	Petition u/s 67 (3) of EA Act, 2003 for payment of compensation on account of damage.	20.7.201 2	31.8.2012
22	Petition No. 118/2012	HPSEB Ltd.	M/s K.K. Hydro	Petition uunder regulation 68, 69, 70 & 71 of HPERC (CBR) for infringement of rights.	27.7.201 2	Pending adjudication.
23	Petition No. 122/2012	M/s Nalagarh Ind. Asso.	HPSEB	Petition unde regulation No.52 of the Conduct of Business Regulations & 142 of the EA, 2003 for directing the respondents not to charge the per KVA cost for IDC in violation of EA,2003.	7.8.2012	27.11.2012

24	Petition No. 123/2012	M/s Hard Chem Agro Ind.	HPSEB Ltd.	Application u/s 126, 128 of the Electricity Act, 2003.	7.8.2012	31.8.2012
25	Petition No. 125/2012 clubbed with 149/09 (Katha case)	M/s GPI Textiles Ltd.	HPSEB Ltd.	Complaint against respondent on account of their refusal to abide by and implementing the orders passed by the Commission on 29.8.2009	14.8.2012	Pending adjudication.
26	Petition No. 127/2012	M/s Tangam Ranvi Power Generation (P)ltd.	HPSEB Ltd.	Application for approval of "S/Med.Term" PPA for SHPs.	28.8.2012	18.9.2012
27	Petition No. 128/2012	M/s Apex Vision Power Pvt. Ltd.	HPSEB Ltd.	Application for approval of PPA.	28.8.2012	10.9.2012
28	Clarificatory Petition No. 133/2012	HPSEB Ltd.	-	Clarification petition u/s 94(1) of the EA, 2003 read with regulation 63 of the HPERC (CBR) Regu.2005.	30..8.2012	29.12.2012
29	Petition No. 138/2012	M/s Ambuja Cement.	HPSEB Ltd. & others	Petition under regulation 5 and 6 of Recovery of Exp. For supply of the Electricity Regulation, 2005.	1.9.2012	Pending adjudication.

30	Petition No. 141/2012	M/s Sarabai Enterprises (P) Ltd.	HPSEB Ltd.	Petition u/s 86 & 94 of the EA 2003 read with HPERC, 2007 for issuance of appropriate orders/ directions on the submission made hereinafter.	10.9.201 2	1.12.2012
31	Petition No. 142/2012	M/s Snowdew Hydro Electric Power Project (P)Ltd.	HPSEB Ltd.	Joint petition for seeking PPA (under REC mechanism).	15.9.201 2	21.9.2012

32	Petition No. 144/2012	M/s Mani Mahesh Hydro Power Project.	HPSEB Ltd.	Petition under section 86 of the Indian Electricity Act,2003 read with regulation 3(3) of Himachal Pradesh Electricity Regulatory Commission (Power Procurement from Renewable sources and Co-generation by Distribution Licensee) Regulation of 2007 of H.P.E.R.C. Regulation, 2007 with a prayer to allow this petition and consequently allowing the use of common Transmission Line.	27.9.2012	27.11.2012
33	Petition No. 145/2012	M/s Lanco Hydro Power Ltd.	HPSEB Ltd.	Application for change of name in the supplementary PPA as has been entered between parties on 6.12.2010.	28.9.2012	Pending adjudication.

34	Petition No. 146/2012	M/s Lanco Thermal Power Ltd.	HPSEB Ltd.	Application for change of name in the supplementary PPA as has been entered between parties on 6.12.2010.	28.9.2012	Pending adjudication.
35	Petition No. 155/2012	M/s IQU Hydro Power	HPSEB Ltd.	Petition u/s 86 of the Indian Electricity Act, 2003 read with regulation 3(3) of Himachal Pradesh Electricity Regulatory Commission(Power Procurement from renewable Sources and Co-generation by Distribution licensee) regulation of 2007 of H.P.E.R.C. Regulation, 2007. With a prayer to allow this petition and consequently allowing the use of common transmission line.	11.10.2012	18.12.2012

36	Review Petition No. 158/2012 in case No. 134/12 in 101/2012	M/s JPVL	HPSEB Ltd.	Application for Review of the order dated 31- 8-2012 passed in petition no. 134/2012 and MA No. 101/2012 in 135/2011 for the tariff for 300 MW BASPA II Hydro Power Plant.	20.10.20 12	29.12.2012
37	Petition No. 164/2012	M/s H.M.Steel	HPSEB Ltd.	Petition under regulation No.52 of the Conduct of Business Regulations & 142 of the Electricity Act, 2003 for directing the respondents to improve the system performance, refrain from frequent load shedding and afford prorata refund of the demand charges on account of failure of supplying the contracted demand.	31.10.20 12	Pending adjudication.
38	Petition No. 168/2012	M/s Sal Hydro Power (P)Ltd.	HPSEB Ltd.	Application for approval of PPA.	8.11.201 2	14.12.2012

39	Petition No. 170/2012	HPSEB Ltd.	-	Application for Removal of difficulties in Regulations 4(4) for security deposit for the supply of electricity as specified in the Security Regulation, 2005.	20.11.2012	Pending adjudication.
40.	Petition No. 171/2012	HPSEB Ltd.	-	Application for removal of difficulties 32 (working capital requirement) specified in the terms and condition for wheeling and retail supply tariff regulation, 2011.	20.11.2012	16.03.2013
41	Petition No. 172/2012	HPSEB Ltd.	-	HPERC (ROE for supply of electricity Regulations 2012- proposal for schedule of service connection charges as per Regulation-14.	24.11.2012	Pending adjudication.
42	Petition No. 178/2012	HPSEB Ltd. & Jogindera Power	-	Joint Petition for PPA in r/o Baner Sangam HEP	10.12.2012	15.12.2012

43	Petition No. 181/2012	M/s Aditya Ind.	HPSEB Ltd.	Petition u/s 86,94, sub section (3) of section 55 of the Act read with the Central Electricity Authority(Insta llation and Operation of Meters) Regulations, 2006 for directing the Licensee HPSEBL to comply with section 55 of the and the Regulations made under sub-section(1) of the Act and further for issuance of order or direction on the basis of submissions made hereinafter regarding billing the petitioner's electricity account on the basis of meter reading of the energy meter installed at his premises.	17.12.20 12	Pending adjudication.
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44	Petition No. 182/2012	M/s Neogal Power Company	HPSEB Ltd.	Petition u/s 86 of the Indian Electricity Act,2003 read with regulation 3(3) of HPERC (Power Procurement from renewable sources and co- generation by distribution licensee) regulation of 2007 of HPERC Regulation, 2007 to allow this petition and consequently allowing the use of common transmission line	24.12.20 12	11.03.2013
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45	Petition No. 183/2012	M/s Awa Power Co. (P)Ltd.	HPSEB Ltd.	Petition u/s 86 of the Indian Electricity Act,2003 read with regulation 3(3) of HPERC (Power Procurement from renewable sources and co-generation by distribution licensee) regulation of 2007 of HPERC Regulation, 2007 to allow this petition and consequently allowing the use of common transmission line	24.12.2012	11.3.2013
46	Review Petition No. 20/2013	M/s Batot Hydro Power	HPSEB Ltd.	Application under section 94(1)(f) of the Electricity Act, 2003 read with regulation 63 of HPERC(Conduct of Business) regulations, 2005 read with under Order 47 Rule 1 of the CPC, seeking review of the Order dated 5.9.2012 in Petition Nos. 86/2012 and 104/2012.	23.2.2013	Pending adjudication.

47	Petition No. 22/2013	M/s Puri Oil Mills Ltd.	HPSEB Ltd.	Petition u/s 62 & 86 and 94 of the IE Regulatory Commission (Power Procurement from renewal Sources and Co-generation by Distribution licensee) First amendment of 2007 of HPERC Regulation, 2007 with a prayer to allow re-determinating of the tariff.	26.2.2013	Pending adjudication.
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List of Pending Cases prior to 01.04.2012 in the Commission:

S r. n o.	Case			Description of the case	Date of receipt	Date of disposal
	Petition No.	Plaintiff, Appellant or Petitioner	Defendant or Respondent			
1	Petition No.13/2011	M/s Winsore Textile Ind. Ltd.	HPSEBL	Petition u/s 86 of IE Act, 2003 in respect of Regulation 3(3) of HPERC (Power Procurement from renewable sources & Co-generation by distribution licensee) Reg.2007.	15.2.2011	17.4.2012
2	Petition No. 103/2011	HPSEB Ltd.	-	Petition for the approval of PPA	2.7.2011	18.6.2012
3	Petition No. 119/2011	HPSEB Ltd.	-	Rev.Petition u/s 94(1) of the IE Act, read with regulations 63 of HPERC.	1.10.2011	23.04.2012

4	Petition No. 121/2011	M/s Four Seasons Power (P)Ltd.	State of H.P. through Pr. Secy (MPP & Power) & others	Petition u/s 62 of the IE Act, 2003 read with HPERC	25.10.2011	Pending adjudication.
5	Petition No. 123/2011	HPSEB Ltd.	-	Petition/application for seeking amendment to regulations 3 & 6 of the electricity Regulations 2004 and 5 th amendment dated 30.11.2010 and MYT order dated 19.07.2011	9.8.2011 / 16.11.2011	05.01.2013
6	Rev. Petition No. 124/2011	M/s JPVL	HPSEB Ltd.	Rev. petition for truing up of the tariff for sale of power from Baspa II HEP	18.11.2011	23.04.2012
7	Petition No. 125/2011	HPSLDS	HPSEB Ltd.	MYT petition for the Ist control period (2011-12 to 2013-14)	18.11.2011	05.01.2013
8	Petition No. 126/2011	M/s Belj Hydro Power (P)Ltd.	State of H.P. & others	Petition u/s 62 and section 86(1)(a) and section 86 (i)(e) of EA, 2003.	23.11.2011	28.04.2012
9	Petition No. 128/2011	HPPTCL	-	Petition u/s 62 of the EA, 2003.	1.12.2011	05.01.2013
10	Petition No. 131/2011	HIMURJA	HPSEB Ltd.	Petition under the provision of section 86(1)(b) of the electricity Act, 2003 for the approval of PPA	2.12.2011	16.06.2012
11	Petition No. 135/2011	M/s JPVL	HPSEB Ltd.	Application/Petition seeking truing up of the tariff for sale of power from Baspa-II HEP to HPSEB Ltd. for FY 2003-04 to 2007-08.	8.12.2011	23.04.2012

1 2	Petition No. 137/2011	HPSEB Ltd.	-	ARR for Ist APR of the 2 nd MYT order for the control period (FY-12 to FY-14) u/s 62, 64 & 86 of the EA, 2003.	24.12.20 11	23.04.20 12
1 3	Petition No. 29/2010	M/s DSL Hydrowatt Ltd.	HPSEB	Petition u/s 62,94 of the IE Act, 2003 read with regulation 6 of HPERC.	23.03.20 10	Pending adjudicati on.
There were 13 cases pending adjudication prior to 1-4-2012; out of which 11 cases have been decided and 2 case are pending adjudication with the Commission.						

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

The Commission staff looks after the legal work relating to preparation of comments and liaison with its counsels in the APTEL, High Court and Supreme Court for preparation and filing of petitions/counter affidavits and appraises 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. The details of petitions/cases filed, decided and pending in APTEL, High Court and Supreme Court are as under:.

List of cases pending adjudication before the Hon'ble H.P. High Court.

Sr. N o.	Petition No.	Petitioner	Respondent	Remarks
1.	Petition No.111/2010	Jala Shakti Hydro Power Ltd.	HPSEBL	Pending due to High Court's Stay order
2.	Petition No.20/2011	M/s Usaka Hydro Power	HPSEB	-do-
3	Petition No.26/2011	Sarabai Enterprises	HPSEBL	-do-
4.	Petition No.06/2011	KKK Hydro	HPSEBL	-Listed on 23.4.2013
5.	Petition No. 121/2010	DSL Hydro Watt	HPSEBL	Pending due to CWP before the Hon'ble High Court
6.	Petition No 135/2010	M/s Ginni Global	HPSEBL	-do-
7.	Petition No.139/2010	Himkailash Hydro	HPSEBL	-do-
8.	Petition No.142/2010	Dharamshala Hydro	HPSEBL	-do-

9.	Petition No.143/2010	Ms Gowthami Hydroq	HPSEBL	-do-
10 .	Petition No.175/2009	Niziveedu Seed	HPSEBL	-do-
11 .	Petition No.108/2010	Ms Astha Hydro	HPSEBL	Pending due to Interim order of Hon'ble H.P. High Court. Till further order
12 .	Petition No.137/2010	M/s Mangalam Hydro	HPSEBL	-do-
13 .	Rev.Petition No. 19/2011	JPVL	HPSEBL	Pending for disposal
14	Petion No. 121/2011	M/s Four Seasons Power (P)Ltd.	State of H.P. & others	Pending due to High Court stay order.

6.2 Regulations, Amendments and Notification issued during the FY 2012-13:

6.2.1 Formulation of Regulations and Amendments to Regulations:

The Commission notified the following amendment regulations.

Regulations/Amendments w.e.f. 01.04.2012 to 31.03.2013		
S.No.	Regulations & Amendments	Date of Issue
1	HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations 2013	23-01-2013
	Order w.r.t Finalisation of HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations 2013	16-01-2013
2	HPERC (Promotion of Generation from Renewable Energy Sources and Terms and Conditions for Determination of Tariff, Regulation 2012	17-12-2012
	Order w.r.t Finalisation of HPERC (Promotion of Generation from Renewable Energy Sources and Terms and Conditions for Determination of Tariff, Regulation 2012	
3.	HPERC(Recovery of Expenditure for Supply of Electricity) Regulation,2012.	18-05-2012

All the regulations notified so far by the Commission are available on the Commission's website.

6.2.2 Codes & Standards:

- (a) The Commission has been proactive in the implementation of Codes i.e. Supply and Distribution Code.

6.2.3 Other Notifications/Orders :

The following notification/orders /approvals were issued during the year 2012-13.

- HPERC (Determination of Open Access Charges) Order, 2012.
- Order on APPC (Average Pooled Purchased Cost) dated 16.07.2012.
- Notification Regarding Fixation of Normative Infrastructure Development Charges on 29.05.2012.
- Notification Regarding Fixation of Normative Infrastructure Development Charges on 07.01.2013.

6.2.4 Power Purchase approvals

The State Electricity Regulatory Commissions have to determine the tariff in accordance with the provision of the section 62 of the Electricity Act, 2003 for – (a) supply of electricity by a generating company to the distribution licensee. Accordingly, HPSEB ltd. a distribution licensee in the State required approval for its power purchase agreements

with the power generating companies. The PPAs received and action taken by the Commission during the year is given below:-

List of PPAs Approved by the Commission is as under:

(A) PPA executed Under Renewal Energy Certificate (REC) Mechanism (upto 5MW)

Sr. No .	SHEP	Installed Capacity in MW	Location/ Distt.	Name of Generating Company.	PPA Approval date
1.	Jirah	4.00	Kullu	M/s Kapil Mohan & Associates Hydro Energies Pvt. Ltd. Chandigarh	16.04.2012
2.	Balsio	5.00	Chamba	M/s Ginni Global Ltd., 2 nd floor, Shanti Chamber, 11/6B Pusa Road, New Delhi-110005	16.08.2012
3.	Kalath	1.20	Kullu	M/s Apex Vision Power Ltd., 702, Basant vihar, Kasumpti, Shimla	5.11.2012
4.	Kiunr	2.00	Chamba	M/s. Snowdew Hydrotech Power Project Pvt. Ltd, Vill. Dhanotu P.O. Mahadev, Tehsil Sundernagar, Distt. Mandi-175018	21.09.2012
5.	Billing	0.40	Lahaul & Spiti	HIMURJA, Urja Bhawan, Kasumpti , Shimla	14.12.2012
6.	Balij –ka-Nallah-II	3.50	Chamba	M/s Batot Hydro Power Ltd, Mumbai	
7.	Baner Sangam	5.00	Kangra	M/s Yogindera Power Ltd., VPO Jalari, Tehsil and Distt. Kangra HP	15.12.2012

(B) PPA executed Under REC Mechanism (5 to 25 MW)

Sr. No.	SHEP	Installed Capacity in MW	Location/ Distt.	Name of Generating Company.	PPA Approval date
1.	Upper Joiner	12.00	Chamba	M/s. Tejassarnika Hydro Energies Private Limited, Plot No. 125, Road No. 71, Nava Nirman Nagar, Jubilee Hills, Hyderabad (AP).	7.04.2012
2.	Sumez	14.00	Shimla	M/s. Ranga Raju Warehousing Private Limited, Plot No. 226, Road No. 78, Phase-III, Jubilee Hills, Hydeabad(AP).	7.04.2012
3.	Baner-II	6.00	Kangra	M/s. Prody Hydro Power (P) Ltd., # 32, 28 th Cross, Industrial Layout Banashankari-II Stage, Banglore-560070	11.06.2012
4.	Tangnu Roami-II	6.00	Shimla	M/s Tangnu Roami Power Generation Private Limited, 105A,. Phase-II, Sector-III, New Shimla-171009.	18.09.2012
5.	Bharari	6.00	Mandi	M/s Sal Hydel Power (I) Pvt. Ltd., 316, Nilgiri Block, Aditya Enclave, Amerpreet, Hydrabad-38	14.12.2012

(C) PPA under prefferential tariff :

Sr. No.	Name of the Project	Installed capacity in MW	District in which located	Name of Generating Company.	Date of approval of PPA
1	Chamunda HEP	0.20 MW	Mandi	M/s Chamunda Hydro Project, VPO Gohar, Tehsil Gohar, Distt. Mandi, HP.	30.04.2012

6.2.5 Examination/Comments on documents

Various documents issued by CERC, FOIR, Ministry of Power, Govt. of India GoHP were examined and comments/views supplied.

6.2.6 Approval of Cost data

Cost data book w.r.t EHV, HV and LT equipment for the FY 2012-13, as submitted by the HPSEBL, was examined and approval granted.

6.2.7 Demand Side Management (DSM) and Energy Efficiency (EE)

Commission took initiative for preparation of Comprehensive Demand Side Management (DSM) and Energy Efficiency (EE) plan, and award of consultancy services was placed on M/s Price Water House Coopers. Capacity building training imparted to officers of HPERC, HPSEBL & SDA (DOE) during Jan., 2011. HPERC (Demand Side Management) Regulations, 2011 has notified in the Rajpatra Himachal Pradesh on dated 12.10.2011.

6.2.8 Renewable Power Purchase Obligations

In order to promote generation from renewable sources, the Central Electricity Regulatory Commission has framed Regulations and issued orders for giving effect to the Renewable Energy Certificates frame work and the Commission has also framed the Himachal Pradesh Electricity Regulatory Commission(Renewable Power Purchase Obligations and its Compliance) Regulations, 2010 by adopting the Central Electricity Regulatory Commission (Terms & Conditions for Reorganizations and Issuance of Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2010. The Commission is regularly monitoring the RPO compliance by the obligation entities, particularly distribution licensee in the State.

6.3 Orders relating to Tariff

S.No.	Description	Date of Issue
1.	✚ Determination of Tariff for FY 13.	24-04-2012
2.	✚ True Up Order for 1st MYT Control Period (FY 09-11) of Baspa-II.	23-04-2012
3.	✚ Generic Levellised Tariff for Small Hydro Projects	04-02-2013

A Brief Description of the approved ARR of Distribution business for FY 13(Rs. Cr.) is as under:

Particulars	FY14
Total Power Purchase Cost	2522.66
<i>Cost of electricity purchase including own generation (Net of banking return)</i>	2304.18
<i>PGCIL Charges (Net of charges recovered from PTC)</i>	199.24
<i>HPPTCL Charges</i>	11.92
<i>ULDC and ST Open Access Charges</i>	37.32
<i>Less: Reduction in cost on account of efficiency in purchase</i>	30.00
Operation & Maintenance Costs	1148.84
<i>Gross Employee Cost</i>	1070.06
<i>R&M Cost</i>	36.45
<i>Gross A&G Cost</i>	42.33
Interest & Financing Charges	121.19
Depreciation	109.02
Return on Equity	30.24
Public Interaction Program	0.00
Less: Non Tariff Income	309.20
Less: Capitalization of Expenses	48.05
<i>Capitalization of Employee Cost for Distribution</i>	45.00
<i>Capitalization of A&G Cost for Distribution</i>	3.05
ARR for FY14	3574.71

6.4 Website

Important information under the RTI Act and HPERC Regulations are 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.

6.5 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 has been maintained in the office and put up to the Commission for perusal and suitable action.

6.6 Consumers Grievances Redressal Forum

6.6.1 Forum for Redressal of Grievances of the Consumers

Under section [8] read with sub-section (5) of section 42 of Electricity Act 2003, the Commission has notified HPERC (Guidelines for Establishment of Forum for Redressal of Grievances of Consumer) Regulation, 2003. As per regulation 3, the distribution licensee i.e. the HPSEB Ltd. has established a three members Forum for Redressal of Grievances of Consumers at Kasumpti, Shimla. The consumers can file their complaints with this Forum 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.

The Forum consists of three members, of which two are appointed by the HPSEB Ltd. from the officers of the licensee and one independent member is nominated by the Commission.

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 complaints pending as on 31.03.2012 are 28 and complaints received during the year are 29, complaints disposed off during the year are 43 and pending complaints as on 31st March 2013 are 14.

6.6.2 Electricity Ombudsman

As per section 42(6) of the Electricity Act, 2003 and Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) Regulations, 2004, the Electricity Ombudsman is appointed by the Commission. Any consumer may make a representation for the redressal of his grievance to the Electricity Ombudsman appointed by the Commission. 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. 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. As on 31st March, 2012, Sh. B.S. Bakshi was holding the charge of the Electricity Ombudsman. As per the reported status by the Electricity Ombudsman, the opening balance of petitions/representations pending before the Electricity Ombudsman as on 01.04.2012 was 13. During the year FY 2012-13, 12 additional petitions/representations were filed, out of which 9 petitions were disposed off till 31.03.2013.

Apart from above, in order to provide efficient, reliable and quality supply of power to the consumers, the Commission has notified the Distribution Performance Standard Regulations, 2010 which specifies the standards of performance related to consumer services such as fuse off/ fault calls, overhead line and cable breakdown, replacement of failed distribution transformer, complaints about meters, defective/ stopped/ burnt meter replacement, shifting of meter/ service lines, voltage problems, scheduled outages etc. These regulations also provide the preparation and publication of “Manual of Practice for Handling Consumer Complaints” by the distribution licensee to facilitate the consumers as well as the field staff. If the distribution licensee fails to meet the standards of performance specified under these regulations, the aggrieved consumer can file a case for compensation to the Commission.

6.7 Membership of Co-ordination Forum

In order to have a dynamic interface with other utilities and to evoke a common reform strategy by regulators, the Commission have acquired the membership in the following forums at regional, national and international levels: -

6.7.1 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 Chairman of the Commission has attended meetings of SAFIR time to time.

6.7.2 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. The Commission 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 at least once in a year probably in the month of June. The Chairman of the Commission has attended meetings of FOIR time to time.

6.7.3 Forum of Regulators (FOR)

The Forum of Regulators (FOR) was constituted vide Notification dated 16th February, 2005 in pursuance of the provision under section 166(2) of the Electricity Act, 2003. The Forum consists of Chairperson of Central Electricity Regulatory Commission (CERC) and Chairpersons of State Electricity Regulatory Commissions (SERCs). The Chairperson of CERC is the Chairperson of the Forum. 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. The Forum shall meet at least twice in a year. The Chairman of the Commission has attended meetings of FOIR time to time.

6.7.4 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 registered office of NRFER has been established 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.

6.8 Computerization

Desktop Computers were installed on the seat of all the officers of the Commission for increasing their efficacy and compatibility. These are interconnected through Local Area Network (LAN) so that information can be exchanged quickly on priority through a reliable, paperless mode. The necessary peripheral hardware together with standard software items have also been provided in the office.

6.9 Library

Various books, Law journals and other documents pertaining to the Commission were purchased during the period April, 2012 to March, 2013 for the office library as required from time to time.

CHAPTER-7

Consultations with, or representation by, the members of the public in formulation of policy or implementation.

While mandating the Commission to carry out certain duties, the Act also empowers the Commission to frame Regulations to carry out such functions but only after prior publication process which essentially involves public consultation on its Regulatory draft provisions, take into consideration all such suggestions from public and finalize the intended Regulations; such Regulations are subject to judicial review by High Court Supreme Court. The Commission is required to follow the principle of natural justice after giving due opportunity being heard in all its functions. In order to ensure that views and concerns of the consumers at large are duly voiced and heard, the Commission has appointed Shri P.N Bhardwaj a retired Chief Engineer as consumer representative to represent consumer interest in its proceedings.

CHAPTER-8

Committees and other bodies constituted advice

The State Commission, under section 87 of the Electricity Act by notification from time to time reconstitute the State Advisory Committee (SAC). The total members of State Advisory Committee as on **31.3.2013** are **21** as shown at **Annexure-IV**. 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 minutes of the meeting of the SAC are not accessible to public.

CHAPTER-9

A brief overview of the Departments and State Utilities

9.1 HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED (HPSEBL)

The Himachal Pradesh State Electricity Board (HPSEB) was constituted in accordance with the provisions of Electricity Supply Act (1948) in the year 1971. Thereafter, all functions of the Department of Multi-Purpose Projects and Power such as generation, execution of hydroelectric projects except functions of flood control and minor irrigation were transferred to the Board.

HPSEB carried out functions of Generation, Transmission and Distribution for the State of Himachal Pradesh up to June 10, 2010, when the Government of Himachal Pradesh, in exercise of the power conferred to it under Section 131 (2), 132, 133 and other applicable provisions of the Electricity Act 2003, transferred the functions of generation, distribution and trading of electricity to Himachal Pradesh State Electricity Board Limited (HPSEBL) and the function of evacuation of power by transmission lines to Himachal Pradesh Power Transmission Company Limited (HPPTCL), vide the Himachal Pradesh Power Sector Reforms Transfer Scheme, 2010. A separate Generation Company for execution of new projects in State sector was already created by GoHP.

In accordance with provisions of the Act, vide Notification No. MPP-A(3)-1/2001-IV dated June 15, 2009, the functions, assets, properties, rights, liabilities, obligations, proceedings and personnel of Himachal Pradesh State Electricity Board (HPSEB) were vested with the Government of Himachal Pradesh. Also in accordance with the provisions of the Act, vide the 'Himachal Pradesh Power Sector Reforms Transfer Scheme, notified vide No. MPP-A(3)-1/2001-IV, dated June 10, 2010, the above mentioned functions, assets, properties, rights etc earlier vested with the Government of Himachal Pradesh were re-vested into corporate entities by the name of Himachal Pradesh State Electricity Board Limited (HPSEBL) and Himachal Pradesh Power Transmission Corporation Limited (HPPTCL). Thus, HPSEBL came into being with effect from June 10, 2010, from the date of re-vesting with the objective that the functions of generation, distribution and trading of electricity shall be undertaken by HPSEBL. The Himachal Pradesh State Electricity Board Limited is a deemed licensee under the first proviso to Section 14 of the Electricity Act, 2003 for distribution and supply of electricity in the State of Himachal Pradesh.

HPSEBL after reorganisation has been entrusted with the functions of distribution of electricity in the State of Himachal Pradesh and hence, HPSEBL is responsible for the development, (planning, designing, and construction), operation and maintenance of power distribution system in Himachal Pradesh with inherent trading functions. Identification and investigation of new hydro power potential of the State is also entrusted to HPSEBL. Ownership and O&M of generating stations of erstwhile HPSEB has also been given to HPSEBL and it can continue executing new generating projects in state sector if so allocated by GoHP. HPSEBL has share of power in Central Sector stations while it also imports power from neighbouring states to meet the requirement in the state.

Operation and maintenance of the distribution system in HPSEBL is carried out by its three Operation Wings, namely 'North', 'Central' and 'South', and one EHV wing(named System Operation wing), each headed by a Chief Engineer. The three operation wings comprise 12 Operation Circles. The geographical area under these Circles is strictly not as per the territorial jurisdiction of the 12 districts in the State. Despite extreme geographical terrain and climate with the population spread over far-flung and scattered areas, the State has achieved 100% electrification of towns and villages in 1988.

9.2 HIMACHAL PRADESH POWER TRANSMISSION CORPORATION LIMITED

The Himachal Pradesh Power Transmission Corporation Limited (HPPTCL) is a deemed licensee under first, second and fifth provisos of Section 14 of the Electricity Act, 2003 for transmission of electricity in the State of Himachal Pradesh. HPPTCL was formed through an order notified by the Government of Himachal Pradesh vide its notification No. MPP-A-(1)-4/2006-Loose, dated 11 September, 2008. Through notification No. MPP-A-(1)-4/2006-Loose dated 3 December, 2008 read with the GoHP's earlier notification dated 31 October, 2008, HPPTCL was entrusted with the following work / business with immediate effect:

1. All new works of construction of Sub-Stations of 66 kV and above.
2. All new works of laying/ construction of transmission lines of 66 kV and above.
3. Formulation, updation, execution of Transmission Master Plan for the state for strengthening of Transmission network and evacuation of power including new works under schemes already submitted by the Himachal Pradesh State Electricity Board (HPSEB) under this plan to the Financial Institutions for funding and where loan agreements have not yet been signed.
4. All matters relating to planning and co-ordinations of the transmission related issues with CTU, CEA, Ministry of Power, State Government and HPSEBL.
5. Planning and co-ordination with the IPPs/ CPSUs/ State PSUs/ Other Departments or organizations or agencies of the Central Government and State Government, HPSEBL and HPPCL with regard to all transmission related issues.
6. All other matter of subject that the State Government may specifically assign to the Corporation from time to time.

HPPTCL was declared the State Transmission Utility (STU) by the GoHP vide its order dated 10 June, 2010 and as a result thereof the Commission recognized the HPPTCL as a deemed "Transmission Licensee" as per the Commission's Order dated 31 July, 2010. Prior to FY11, the transmission tariff was being determined as a part of the tariff orders applicable to HPSEBL system.

The State Government also transferred and vested in HPPTCL the ownership, operation and maintenance of Transmission lines of 66 kV and above owned by the Himachal Pradesh State Electricity Board Limited including the co-ordination of the lines owned and operated by Power Grid Corporation of India (PGCIL), Independent Power Producers (IPPs), Haryana Vidyut Prasaran Nigam Limited (HVPNL) and Power Com (PSEB) vide its notification No. MPP-A (3)-1/2001-IV, dated 21 June, 2010 read with earlier notification of even number dated 10 June, 2010.

9.3 HIMACHAL PRADESH POWER CORPORATION LIMITED (HPPCL)

Himachal Pradesh Power Corporation Limited (HPPCL) was incorporated in December 2006 under the Companies Act 1956, with the objective to plan, promote and organize the development of all aspects of Hydro-electric power on behalf of Himachal Pradesh State Government (GoHP) and Himachal Pradesh State Electricity Board in Himachal Pradesh. The GoHP has a 60% and HPSEB a 40% shareholding in HPPCL.

The HPPCL has the aim to develop 3000 MW power generating capacity by March 2017 and 5000 MW by the year 2022 and thereby contribute to the development and prosperity of Himachal Pradesh through power generation. Towards achieving this aim, work on various projects such as 450 MW Shongtong Karcham, 100 MW Sainj, 111 MW Sawra Kuddu, 243 MW Kashang, 42 MW Chirgaon Majhgaon and 40 MW Renuka Ji is in different stages of execution.

The challenge before HPPCL is to develop itself a power generating company with all the technical and organizational capabilities at par with renowned generating companies such as NTPC, NHPC and SJVNL. To achieve this efforts are being made to strengthen various departments with professionals of proven credentials and qualified technical manpower.

HPPCL apart from Hydro Power Development, intends to diversify its power development activities in other areas such as thermal, renewable sources of energy (mainly solar power) etc. Its aim is to have a long term corporate plan for planned implementation of the power projects to meet the growing energy demand, ensuring environmental and ecological balance for contributing towards the progress and prosperity of the state.

9.4 HIMACHAL PRADESH LOAD DESPATCH SOCIETY

The State Load Despatch Centre (SLDC) was established in Himachal Pradesh in 2002 and Himachal Pradesh State Electricity Board Ltd. (erstwhile HPSEB) has been operating it since then. HPSEB Ltd was the sole utility looking after the businesses of generation, transmission and distribution of power in the state. With the enactment of Electricity Act, 2003, which broadly focuses on making the power sector competitive, different utilities have been set up in the state to look after the businesses of generation and transmission of power, whereas HPSEB Ltd. continues to be the only utility in the distribution business in the state. The HV/EHV lines previously classified as intra-state transmission lines to have been owned by the State Transmission Utility are now owned by HPSEBL and have been classified as HV/EHV distribution lines. Therefore, unlike many other states of the region where the SLDC functions were assigned to the State Transmission Utility, in Himachal Pradesh, SLDC functions continued to remain under HPSEB Ltd.

In order to ensure that SLDC discharges the functions and duties entrusted with it in the Electricity Act 2003, in an efficient and effective manner, the Himachal Pradesh Electricity Regulatory Commission imparted directions to HPSEB Ltd. to take steps to ring fence SLDC, and grant it functional autonomy.

In line with this, the Govt. of Himachal Pradesh ordered the establishment of State Load

Despatch Centre as an independent entity in the form of “Himachal Pradesh State Load Despatch Society” vide its order No. MPP-B (13)-2/2010 dated 8.11.2010. HPSEB Ltd. has put the services of some of its employees on secondment basis with Himachal Pradesh Load Despatch Society with effect from 17th June 2012. Himachal Pradesh Load Despatch Society has therefore deemed to have taken over the functions of State Load Despatch Centre from HPSEB Ltd. with effect from 17th June 2012.

However, the two fold reasons of HPSEB Ltd. being the only DISCOM in the state, and for it to have carried out the SLDC functions for so long, have added to the complexities of transferring the functions of SLDC from HPSEB Ltd. to Himachal Pradesh Load Despatch Society. The unique initiative of the integrated functioning of SLDC (with Himachal Pradesh Load Despatch Society) and ALDC (HPSEBL) taken up in HP, adds to the difficulties likely to arise during the transition phase. Since ALDC facility of HPSEB Ltd and SLDC facility of Himachal Pradesh Load Despatch Society are located in the same complex; the necessary assets required for SLDC operation have not been transferred by HPSEB Ltd. to Himachal Pradesh Load Despatch Society till date.

The biggest challenge today is to provide Himachal Pradesh Load Despatch Society the necessary infrastructure and human resources so that it can carry out its functions and duties as per the Act. Simultaneously with the coming up of large number of power projects and a number of consumers in the state going in for open access, the role of State Load Despatch Centre becomes more important as it is designated as the apex body for the integrated operation of the power system in the state by the Act.

9.5 DIRECTORATE OF ENERGY (DoE)

The government of Himachal Pradesh in the year 2009 created the Directorate of Energy as a single point of contact for the resolution of all issues relating to project implementation and hydro power development. The broad aims and objectives of Directorate of Energy are:

1. To provide conducive policy framework and issue directions to promote, develop and harness optimally, the huge hydro potential of the State.
2. Coordinate/ facilitate the programs/policies which lead to conservation of energy and its efficient use.
3. Maximize the revenue by sale of free/ equity power of the state.

The Directorate of energy is contributing in the development of the power sector in the State by carrying out following functions:

- i. Allotment of hydro projects in H.P.
- ii. Monitoring of implementation of projects.
- iii. Grant of techno economic clearances
- iv. Sale of power share of Government of Himachal Pradesh.
- v. Promote energy conservations and efficiency measures.
- vi. Monitoring of quality and safety aspects of hydro electric plants.

9.6 HIMURJA

HIMURJA is the State Nodal Agency for implementation of renewable energy programme/ schemes in Himachal Pradesh. It is facilitating in providing of various renewable energy applications with the help of State/ Central financial assistance. Himachal Pradesh has been considered as Special Category State by the MNRE, Govt. of India for providing of Central Financial Assistance under various programmes of Ministry. Following are the functions of HIMURJA:

1. To procure, provide and installation of Solar Energy Devices.
2. To submit proposals under Project mode to MNRE, Govt. of India for sanction under various available schemes.
3. To provide subsidy to beneficiaries under JNNSM & other schemes of MNRE, Govt. of India.
4. Preparation of renewable energy power policies for the State and adopt a strategy for the development, promotion and use of renewable energy technologies across the State.
5. To ensure availability of reliable sustained quality power supply from HIMURJA MHEPs.
6. To frame transparent policy for identification and allotment of power projects.
7. Harnessing of small hydro power potential through private and state sector participation.
8. To ensure employment to Himachalis in the Power Projects as per H.P. Govt. instructions ensuring local development.
9. Ensuring the installation of SPV Street Lights in SCs concentrated villages under SCSP.
10. Undertaking resource assessment and potential estimation study for all new and renewable sources of energy.
11. Process cases for providing financial incentives to the IPPs in the shape of subsidy.
12. To facilitate with DOE and HPTCL, HPSEBL for approval of TEC & inter-connection point.
13. Interaction with various departments for obtaining statutory & non-statutory clearances.
14. Interaction with Tribal Department & Social Justice Department for providing funds for renewable energy devices.
15. Coordinate with various govt. departments, IPPs and monitoring thereof for early completion of the project.
16. To organise awareness programmes through various modes for promoting and popularization of renewable energy sources/devices.

9.7 Salient Features

9.7.1 Generation

The total identified Hydro Potential of Himachal Pradesh is about 23000 MW. In order to harness this huge hydro potential and with a motive to make Himachal Pradesh as Hydro Power State in the Country, the State Government has adopted four pronged policy by involving State, Central, Joint and Private Sectors. Besides this the State Government has entrusted small hydro projects having capacity up to 5 MW to Himurja for implementation under State and Private sectors.

Out of total identified hydro potential of 23000 MW, a potential of 9437.47 MW stands achieved and projects having aggregate capacity of 12408.99 MW are in various stages of implementation under various sectors. A potential of 992.5 MW capacity is under dispute or cancelled whereas a potential of 755 MW has been foregone due to environmental concerns.

The Status of Hydro power development in the State under various sectors is as follows:-

Status of Hydro Potential in Himachal Pradesh									
Sr No	Sector		Commissioned	Under Construction	Obtaining Clearances	Under Investigation	Dispute/ Cancelled	Foregone	Grand Total
			Capacity in MW	Capacity in MW	Capacity in MW	Capacity in MW	Capacity in MW	Capacity in MW	Capacity in MW
1	Himurja	State	2.37	0.00	61.55	1.50	0.00	0.00	65.42
2		Private	225.25	165.45	611.02	233.47	0.00	0.00	1235.19
3	HPSEB	Upto 5 MW	25.60	0.00	0.00	0.00	0.00	0.00	25.60
4		> 5 MW	451.95	110.00	0.00	70.50	6.00	0.00	638.45
5	HPPCL		0.00	856.00	1285.00	963.00	0.00	20.00	3124.00
6	Central & Joint		5743.73	2532.00	66.00	588	0.00	0.00	8929.73
	Yamuna Projects (Himachal Share)		131.57						131.57
7	Rajneet Sagar Dam (Himachal Share)		27.60						27.60
8	Private		1829.40	746.60	844.40	3274.50	986.50	735.00	8416.40
Total			8437.47	4410.05	2867.97	5130.97	992.50	755.00	22593.96
Balance potential under consideration									406.04
GRAND TOTAL									23000.00

9.7.2 Network

The intrastate transmission and distribution network consists of voltage levels of 220 kV,

132 kV, 66 kV, 33 kV, 11 kV and 0.4/0.23 kV. The network comprises of electrical lines measuring about 92870 kilometres at various voltage levels. The detail of voltage-wise line length and distribution transformation capacity is as under:

Details of EHT Line Length

220kV	132kV	66kV	Total
422.49 km	1419.22 km	405.12 km	2246.8 km

Details of HT Line Length

33kV	22kV	15kV	11kV	2.2kV	Total
3007.68 km	6865.87 km	105.41 km	20931.37 km	48.27 km	30958.60 km

**Details of LT line Length & Distribution
Transformation Capacity**

LT Line (0.4/0.2 kV)	Distribution Sub-Stations	
	No.	kVA
59664.32 km	25128	2144003.03

In all there are 38 EHV substations feeding the transmission/ distribution network. It is a challenge to maintain such huge network in hilly terrain and prevailing adverse climatic conditions in some parts of the State. The continuous up gradation of the network is required to meet the growing energy demands and for evacuation of power from hydro power stations coming up in different parts of the State.

9.7.3 Distribution

100% village electrification as per 1981 Census was achieved in Himachal Pradesh during 1988-89 (June 1988). Subsequently the definition of village electrification was changed by M/s Rural Electrification Corporation (REC) Ltd. As per 2001 census, 17483 No. of villages have been electrified out of total 17495 villages ending March 2013. The remaining 12 villages are not technically feasible for electrification being transit, having no population and situated in Densely Populated Forest (DPF) areas. Apart from the village electrification, HPSEBL has taken up the electrification of hamlets to be electrified and 4047 (identified) +614 (un-identified) hamlets stand electrified up to March, 2013.

In total there are 20.88 lac consumers with total connected load of 56,10,205 kW. These consumers are fed through the network consisting of 33,205 km of HT lines and 59,664 km of LT lines. There are 25,128 distribution substations with total installed capacity of 21,44,003 kVA. The transmission and distribution loss levels during the year 2012-13 were 13.62%.

9.7.4 Consumption and availability

A total of 7223.51 MU were consumed by different categories of consumers in the State during 2012-13 with a maximum demand of 1360 MW. The peak power demand occurs during the winter months when the hydro-generation is also low. In totality the State is

surplus in power. However during the winter months the distribution licensee (HPSEBL) is deficit in power and during the summer month it has surplus power. The surplus power during summer months is banked with the neighbouring states and is received during the winter months when the distribution licensee is deficit in power. The state has regional share in various central sector projects as well as equity share in projects such as Nathpa Jhakari HEP. The state has 12% free power in various hydro projects of the State. HPSEBL uses power from above sources, from its own generating stations as well as from shared generating stations and BBMB to fulfil its requirement. The per capita energy consumption during 2011-12 was 978 units which increased to 1052 units in 2012-13, an increase of 7.6%. About 60% of the total consumption in the state is by the Industry followed by domestic category whose consumption is about 22%. The category wise energy consumption and growth rate during the last three years are as follows:

Category	FY 2010-11	FY 2011-12		FY 2012-13	
	Consumption (MU)	Consumption (MU)	Growth rate	Consumption (MU)	Growth rate
Domestic	1282.5	1407.29	9.73%	1618.45	15.00%
Non Domestic Non Commercial	89.54	98.55	10.06%	106.82	8.39%
Commercial	356.53	387.2	8.60%	408.73	5.56%
Public Lighting	12.55	12.89	2.71%	13.91	7.91%
Small Power	59.46	58.42	-1.75%	61.48	5.24%
Medium Power	142.5	139.64	-2.01%	144.69	3.62%
Large Supply	3993.71	4116.5	3.07%	4173.16	1.38%
Water Pumping and Irrigation Supply	445.09	476.14	6.98%	500.6	5.14%
Temporary	24.64	28.56	15.91%	25.9	-9.31%
Bulk Supply	235.61	192.88	-18.14%	169.78	-11.98%
Total Energy Sales	6642.13	6918.07	4.15%	7223.52	4.42%

CHAPTER-10

Directory of officers and employees

Directory of Himachal Pradesh Electricity Regulatory Commission officers and employees during 2012-13 as shown at **Annexure -I**

CHAPTER-11

Remuneration of Commission's officers and employees

- 11.1** The details of gross salary in respect of Chairman, Officers and Employees of the Commission as on 31.03.2013 or as on their last working month in the Commission are as shown at **Annexure-II**
- 11.2** The pay and allowances in respect of the Chairman, Officer and employees of the Commission are being released as per pay scales approved by the Government for the respective categories of posts except for those in whose case the HPSEBL based pay scales have been protected by the Government. However, in case of the employees who were on secondment with the Commission from H.P. Govt., HPSEBL and SJVNL having different pay and allowances structure than that of H.P. Government Deptt. were paid the pay and allowances as would have been paid to them in their respective organizations.

CHAPTER-12

Rules, Regulations, Instructions, Manuals and records, held by the Commission or used for discharging its functions.

12.1 Rules, Regulations and Instructions

The following are some of the important statutes, rules and regulations followed by the Commission and its employees for discharging day to day functions :-

1. Electricity Act, 2003
2. Electricity Rules, 2005
3. Electricity Policy
4. Tariff Policy
5. CERC regulations and orders
6. Different Regulations/Amendments/ other Notifications/Orders framed by the Commission from time to time during the year.
 - HPERC (Demand Side Management) Regulations, 2011.
 - HPERC (Distribution Performance Standards) (First Amendment) Regulations, 2011.
 - HPERC (Eligibility Conditions for being a Electricity Trader) (First Amendment) Regulations, 2011.
 - HPERC (Renewable Power Purchase Obligation and its compliance) (First Amendment) Regulations, 2011.
 - HPERC (Security Deposit) (First Amendment) Regulations, 2011.
 - HPERC (Determination of Open Access Charges) Order, 2011.
 - Order on APPC (Average Pooled Purchased Cost) dated 14th June, 2011.
 - Notification regarding applicability of Open Access Regulations in transmission under the HPERC (Grant of Connectivity, Long-Term and Medium-Term Intra-State Open Access and related materials) Regulations, 2010 has been issued.
 - HPERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2011.
 - HPERC (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2011.
 - HPERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011
 - HPERC (Levy and Collection of Fees and Charges by State Load Despatch Centre) Regulations, 2011
7. Civil Procedure Code
8. HPERC Fund (Constitution of Fund, the manner of application of fund and form and time for preparation of Budget) Rules, 2007
9. Rules, Instructions/Circulars issued by the State Government from time to time on various policies, establishment matters etc.

12.2 Manual and Records etc.

In addition to above-mentioned Rules, Regulations, Policies etc. 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. Directions for the Approval of Hydro Electric Projects in the State of Himachal Pradesh, 2005.
3. HPERC Determination of Open Access Charges Order, 2008.
4. HPERC Fixation of Intra State Trading Margin Order, 2008.
5. HPERC Tariff for Grid Interactive Photovoltaic and solar Thermal Power Projects (Eligible under MNRE guidelines), 2009.
6. HPERC (Determination of Open Access Charges) Order, 2010.
7. Notification of Designated State Agency.
8. Notification of RPPO applicability to Captive and Open access Consumer(s)/user(s).
9. HPERC (Fixation of Fees and Charges for Accreditation of Renewable Energy Generation Project) Order, 2010.
10. Detailed procedure for Grant of Connectivity, Long-Term and Medium-Term Intra-State Open Access.

CHAPTER-13

Subsidy programmes, including the allocations and the beneficiaries

Execution of subsidy programmes does not fall in the ambit of its functions.

CHAPTER-14

Recipients of concessions, permits or authorizations granted

During the year no such concessions, permits or authorizations have been granted by the Commission.

CHAPTER-15

Details of the information available or held by it, in an electronic form

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

CHAPTER-16

Facilities available to citizens for obtaining information, including library or reading room, if maintained, for public use.

The Commission has hosted its website <http://www.hperc.org> to provide easy access and wide publicity to public in respect of various activities being undertaken by HPERC. Apart from above, 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.

CHAPTER-17

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 : -

Name	Designation	Telephone No.	
		Office/Mobile	Residence
1. Appellate Authority			
Shri R.P. Bhardwaj, upto 31.07.2012	Secretary	0177-2621003 94184-62500	0177-2624249
Dr. Man Singh 01.08.12 to 31.03.213		0177-2621003 94180-03256	2623291
2. Public Information Officer			
Shri Chander Verma Upto 16.06.2012	Pers-cum- Admn. Officer	0177-2627263	0177-2656114
Sh. S.L. Bhardwaj 17.06.2012 to 31.03.2013		0177-2627263	-
3. Assistant Public Information Officer			
Mrs. Rama Mahajan	Sr. Asstt.	0177-2627263	98051-99588

CHAPTER-18

Categories of documents held by the Commission or under its control

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) Documents relating to finalisation of different regulations and amendments thereof.
- (iv) Investigation of the matters under Section 128 of the Act.
- (v) 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 HPSEBL, preparation of regulations, legal and technical assistance etc.
- (vi) Bills, Vouchers, Payee Receipts and other related documents.
- (vii) Copies of Annual Accounts and Annual Administrative Reports
- (viii) Audit and Inspection Reports.
- (ix) Cash Books, Ledgers etc.
- (x) Personal records and Service Books of the employees.

Annexure -I

Telephone Directory of the Staff of the Commission				
SR. NO.	NAME OF OFFICERS/EMPLOYEES	DESIGNATION	OFF.No.	RES.No.
1.	Sh. Subhash Chander Negi	Chairman	2627262	2621006
2.	Sh. R.P.Bhardwaj	Secretary	2621003	2624249
3.	Sh. R.S.Jalta	Executive Director (TA)	2627978	2670596
4.	Sh. S.K.Joshi	Executive Director(TFA)	2627983	2625501
5.	Sh. Tushar Gupta	Director (TE)	Extn.-305	9418079306
	Sh. Lukesh Thakur	Director Tariff (Eco.)	Extn.-306	9418125092
6.	Sh. J.S.Raitka	Pers-cum-Admn. Officer	Extn.-318	2674033
7.	Smt. Neeta Gautam	Deputy Director	Extn.-319	2624618
8.	Sh. Ajay Chadha	Deputy Director	Extn.-353	2657452
9.	Sh. Rajiv Sindhu	Deputy Director	Extn.-320	2811797
10.	Sh. Chander Verma	Sr. Accounts Officer	Extn.-315	2656114
11.	Sh. Vipin Sharma	Reader	Extn.-233	9418001088
12.	Sh. Munish Sharma	Law Officer	Extn.-233	9418008809
13.	Sh. Mohinder Singh	Private Secretary	2621003	94189-46825
14.	Sh. Satish Gharu	Personal Assistant	2627978	2623477
15.	Sh. Ajay Kaushish	Addl. Private Secretary	2627263	2805744
16.	Sh. B.S.Kanwar	Personal Assistant	2627262	94180-69569
17.	Sh. Sushil Kashyap	Supdt. Grade-II	Extn.-316	2842831
18.	Mrs. Rama Mahajan	Sr. Assistant	Extn.-309	2674858
19.	Sh. Kamal Dilaik	Sr. Assistant	Extn.-311	9418029280
20.	Sh. Raj Kumar	Record Keeper	Extn.-321	9418376263
21.	Mrs. Renu Vats	Jr. Scale Stenographer	Extn.-403	9816398983
22.	Sh. Dinesh Chauhan	Clerk	Extn. -317	9418462400
23.	Sh. Jagat Ram	Clerk	Extn.- 341	2627263
24.	Sh. Om Parkash	Driver	--	2838248
25.	Sh. Sain Ram	Driver	--	9816041592
26.	Sh. Room Singh	Driver	--	9816002465
27.	Sh. Raj Kumar	Driver	--	9418053363
28.	Sh. Man Mohan	Peon	--	2624013
29.	Sh. Kishori Lal	Peon	--	9418559157
30.	Sh. Med Ram	Peon	--	9857052601

Salary of the Chairman, Officers and Employees

Sr. No.	Name	Gross Monthly salary in Rs.
1.	Sh. Subhash Chander Negi, Chairman	98625
2.	Dr. Man. Singh, Secretary	0
3.	Sh. R.P.Bhardwaj, Secretary	85563
4.	Sh. B.M. Sud, Executive Director (TFA)	124585
5.	Sh. S.K.Joshi, Executive Director (TFA)	117986
6.	Sh. Tushar Gupta, Director(TE)	70937
7.	Dr. Lukesh Kumar, Director	71141
8.	Sh. Rajiv Sindhu, Dy. Director	68842
9.	Sh. Ajay Chadha, Dy. Director	59732
10.	Sh. Pankaj Sharma, Dy. Director	67993
11.	Sh. Chander Verma, Sr. Accounts Officer	40791
12.	Sh. S.L. Bhardwaj, Sr. Accounts Officer	40343
13.	Sh. Munish Sharma, Law Officer	31773
14.	Sh. Mohinder Thakur, Personal Assistant/PS	59324
15.	Sh. Satish K. Gharu, Personal Assistant	53989
16.	Sh. Ajay Kaushish, Personal Assistant/APS	54266
17.	Sh. Sushil Kashyap, Supdt. Grade-II	54847
18.	Smt. Rama Mahajan, Sr. Asstt.	37299
19.	Sh. Kamal Dilaik, Sr. Asstt.	35699
20.	Sh. B.S. Kanwar, Personal Assistant	40476
21.	Sh. Raj Kumar Sharma, Record Keeper	49320
22.	Smt. Renu Vats, Sr. Scale Stenographer	37693
23.	Sh. Dinesh Chauhan, Clerk	24745
24.	Sh. Jagat Ram, Clerk	25925
25.	Sh. Om Parkash, Driver	42309
26.	Sh. Room Singh, Driver	25828
27.	Sh. Sain Ram, Driver	37597
28.	Sh. Raj Kumar, Driver	21550
29.	Sh. Manmohan Lal, Peon	25442

Details of staff w.e.f. 01.04.2012 to 31.3.2013

Sr. No.	Name & Designation	Date of joining w.e.f.	Mode of recruitment
1.	Sh. Subhash Chander Negi, Chairman	01.02.2011	Appointment by the Government
2.	Sh. R.P. Bhardwaj Secretary, HAS	09.02.2011 to 31.07.2012	From HP Govt.
3.	Dr. Man Singh, Secretary, HAS	21.08.2012	From HP Govt.
3.	Sh. S.K. Joshi, Executive Director (TFA)	03.02.2011	On secondment
4	Sh. B.M. Sud, Executive Director (TA)	06.06.2012	On secondment
5.	Sh. Tushar Gupta Director (TE)	01.10.2010	On secondment
6.	Sh. Lukesh Kumar, Director (TE)	26.12.2011 to 04.07.2013	On secondment
7.	Sh. Pankaj Sharma, Dy. Director	01.08.2012	On secondment
6.	Smt. Rinku Gautam, Dy. Director (TE)	31.05.2013	Permanent
7.	Sh. Rajiv Sindhu, Dy. Director	19.09.2007 (upto 30.04.2012)	On secondment
6.	Sh. Ajay Chadha, Dy. Director (TA)	01.09.2007(absorbed on 23.12.2010)	Permanent
7.	Sh. J.S. Raitka, PAO	17.11.2004 upto 06.07.2010	Permanent and on secondment with HERC/HPTCL
8.	Sh. Chander Verma, Sr. AO	04.02.2008 upto 16.06.2012	From HP Govt.
9.	Sh. S.L.Bhardwaj, Sr. A.O.	04.10.2012	From HP Govt.
9.	Sh. Munish Sharma, Law Officer	31.10.2011 to 01.04.2013	On secondment
10.	Shri Satish K. Arya, Law Officer	01.07.2013	On secondment
10.	Sh. Mohinder Singh Thakur, APS	22.02.2001	On secondment
11.	Sh. Sushil Kashyap. Supdt. (Gr.-II)	13.02.2009	Permanent
12.	Sh. Satish Gharu, PA	19.11.2004	Permanent
13.	Sh. Ajay Kaushesh, APS	14.02.2007	On secondment

14.	Smt. Rama Mahajan, Sr. Asstt.	30.10.2004	Permanent
15.	Sh. Kamal Dilaik, Sr. Asstt.	30.10.2004	Permanent
16.	Sh. B.S. Kanwar, P.A.	30.10.2004 (P.A. w.e.f. 20.08.2009)	Permanent
18.	Sh. Raj Kumar, Record Keeper	15.11.2007 (absorbed in September, 2009)	Permanent
19.	Smt. Renu Vats Jr. Scale Stenographer	01.10.2008 (absorbed on 18.07.2013)	On secondment
20.	Sh. Dinesh Chauhan Clerk	01.08.2008 (absorbed on 18.07.2013)	On secondment
21.	Sh. Jagat Ram, Clerk	13.10.2006	On secondment
22.	Sh. Om Parkash, Driver	12.1.2001 to 31.05.2013	On secondment
23.	Sh. Room Singh Driver	01.06.2007 (absorbed on 14.07.2009)	Permanent
24.	Sh. Sain Ram, Driver	03.05.2008 to 31.12.2012	On secondment
25.	Sh. Raj Kumar Driver	06.04.2009 (absorbed on 28.09.2013)	On Secondment
27.	Sh. Manmohan Lal, Bill Distributor	08.05.2002	On secondment

ANNEXURE-IV

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.	Principal Secretary (MPP & Power) to the Government of H.P., Shimla-171002	Member
3.	Pr. Secretary, Food, Civil Supplies & Consumer Affairs, Govt. of H.P. Shimla-171002	Member
4.	Secretary, Bureau of Energy Efficiency, 4th Floor, Sewa Bhawan, R.K.Puram, New Delhi-110066.	Member
5.	Joint Secretary, Government of India, Ministry of New and Renewable Energy, Block No.14, CGO Complex, Lodhi Road, New Delhi-110003.	Member
6.	Chairman-Cum-Managing Director, HPSEB Ltd., Vidyut Bhawan, Shimla-4.	Member
7.	Chairman-cum-Managing Director, Satluj Jal Vidyut Nigam Ltd. Himfed Building, New Shimla-171009.	Member
8.	Chairman-cum- Managing Director, Power Trading Corporation India Ltd., 2nd Floor, NBCC Tower, 15 Bhikaji, Cama place, New Delhi-110066.	Member
9.	Head of Department (Electrical Engineering) National Institute of Technology, Hamirpur Distt. Hamirpur (H.P.)	Member
10.	Director(Operation), HPSEB Ltd, Vidyut Bhawan, Shimla-4.	Member
11.	Director, Directorate of Energy, Fase-3, Sector-5, Shanti Bhawan, New Shimla-171009.	Member
12.	Director, Directorate of Agriculture, Krishi Bhavan, Shimla-171005	Member
13.	Chief Executive Officer, HIMURJA, SDA Complex, Kasumpti, Shimla-171009	Member
14.	Sh. Rajesh Kumar Mehndiratta, Vice President, India Energy Exchange Ltd., 401, 4 th Floor, Boston House, Suren Road, Andheri (East), Mumbai-400093.	Member
15.	Sh. P.N. Bhardwaj, Arcadia, P.O. Dharampur, Distt. Solan (H.P.)-173209	Member
16.	The President, Shimla Hotel & Restaurant Association, C/o Hotel Shivalik, Ridge Shimla (H.P.)	Member
17.	The Managing Director, H.P. Power Corporation Ltd., Himfed Bhawan, Below Old MLA Quarters, Panjri, Shimla-171 005.	Member

18.	Managing Director, Himachal Pradesh Power Transmission Corporation, Borowalia House, Khalini, Shimla-171002 (H.P.).	Member
19.	The Chairman, CII, H.P. Council, Sector 31-A, Chandigarh-160030.	Member
20.	The Chairman, Himachal Committee, PHD CCI, Room No. 205, Udyog Bhawan, Shimla-1.	Member
21.	The Convener, H.P. Small Hydro Power Association, B-99, Sector-3, New Shimla-171009 (HP)	Member

