

M/s JSW Hydro Energy Ltd. Versus The HPSEBL & Another

12.02.2024

Petition No. 27/2024

Present: Sh. Bhanu Kanwar, Authorised representative for the Petitioner.

INTERIM ORDER

This is a Petition filed by the Petitioner for Determination of Tariff for the FY2024-25 to FY2028-29 for sale of Power from Baspa-II 300 MW HEP to Himachal Pradesh State Electricity Board Limited (hereinafter referred to as the "JSW") under Section 62 read with Section 86 of the Electricity Act, 2003 and the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Generation Tariff) Regulation, 2011 as amended from time to time. Heard. There are arguable points in the Petition. Hence, the Petition is admitted. Be registered, if not already registered.

During preliminary scrutiny, a few shortcomings were observed and this Commission sought clarification from the JSW which has been taken on record.

On perusal of the record, it is noticed that the JSW has impleaded the following stakeholders as the necessary parties in this Petition and,

has also supplied them with the copies of the Petition and, furnished proof thereof to the Registry of this Commission:

1. The HP State Electricity Board Limited
2. The Govt. of HP through Principal Secretary (MPP & Power)

On careful perusal of the record, we are of the opinion that the representation of important stakeholders i.e. NGO's associated with the power sector, Consumer Groups/ Consumer Representative, Industries Association and Chambers and State Advisory Committee are necessary for the disposal of the Petition, as such, they are ordered to be served accordingly to file their detailed objections /suggestions within a period of 30 days from the Publication of Petition. The Respondent No. 1/HPSEBL and the Respondent No. 2/ The State of HP (MPP & Power) shall also file their response/objections/suggestions within a period of 30 days.

Head Note/Memo of stakeholders be filed.

The Petitioner is directed to take action as per Section 64 (2) of the Electricity Act 2003, read with Sub-regulation (5) of Regulation 16 of HPERC (Conduct of Business) Regulations, 2005 to publish the Petition in the abridged form and manner, as follows:-

1. The salient features of the petition be published in two leading newspapers, one in English language and one in Hindi language; having wide circulation in the State of Himachal Pradesh on two

- different dates in two publications on or before **16.02.2024** under intimation to this Commission.
2. The publication should be given the heading “Disclosure in the Petition filed by M/s JSW for Determination of Tariff for the FY2024-25 to FY2028-29 for sale of Power from Baspa-II HEP 300 MW to HPSEBL” filed before the Himachal Pradesh Electricity Regulatory Commission.
 3. The salient features to be published should include the following:-
 - (i) The Aggregate Revenue Requirement (ARR) projected for each year of the MYT Control Period i.e. FY2024-25 to FY2028-29 including details of employee expenses, repairs and maintenance expenses, administration and general expenses, depreciation, interest and financing charges, return on equity, tax and repayment of loans etc.
 - (ii) Details of Net Saleable Energy and Tariff projected for each year of the MYT Control Period i.e. FY2024-25 to FY2028-29.
 - (iii) Year-wise CAPEX proposed for the control period;
 - (iv) Status of compliance of various directions contained in the Himachal Pradesh Electricity Regulatory Commission MYT and Order for 4th Control Period;
 - (v) Major assumptions in filling the tariff petition as a whole and basis of allocation/ apportionment of expenses in general, wherever applicable.
 - (vi) Other salient features of proposed tariff;
 4. The complete Tariff Petition along with formats etc. be hosted on the JSW website i.e. www.jsw.in/energy by **17.02.2024**.
 5. Sufficient copies of the Petition be made available in the office of the JSW for sale to interested parties.
 6. Arrangements also be made for the interested parties to see, examine and inspect the above Petition in the above office during the office hours on any working day.

7. The Petition be given wide publicity amongst all the stakeholders in general and in particular the copies of the proposed tariff be supplied to the following: -
- i) The Industry Associations and Chambers.
 - ii) The NGOs associated with power sector.
 - iii) Consumer Representative/ Consumer Groups.
 - iv) Members of the State Advisory Committee of the HPERC.

The Tariff Division is further authorized to seek any relevant clarification for the disposal of the Petition from the Petitioner.

The matter be listed further before the Commission in such a manner that the Petition is disposed off as per the provisions of the Electricity Act, 2003.

-Sd-
(Shashi Kant Joshi)
Member

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

-Sd-
(Devendra Kumar Sharma)
Chairman