

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO. 4, CHUNOKOLI,
SHAILASHREE VIHAR, BHUBANESWAR-751021

**Present : Shri G. Mohapatra, Officiating Chairperson
Shri S. K. Ray Mohapatra, Member**

CASE NOS. 108,109,110 &111 of 2021

**DATE OF HEARING: 23.02.2022 at 11.00 A.M (TPSODL),
25.02.2022 at 11.00A.M (TPWODL),
25.02.2022 at 3.00P.M (TPNODL)
28. 02.2021 11.00 A.M (TPCODL)**

DATE OF ORDER: 24.03.2022

IN THE MATTER OF: Applications of Distribution Companies (TPCODL-erstwhile CESU), TPNODL (erstwhile NESCO Utility), TPWODL (erstwhile WESCO Utility) & TPSODL (erstwhile SOUTHCO Utility) for approval of their Aggregate Revenue Requirement (ARR), Wheeling Tariff and Retail Supply Tariff for the FY 2022-23 under Sections 62 & 64 and other applied provisions of the Electricity Act, 2003 read with relevant provisions of OERC (Terms and Conditions for determination of Wheeling and Retail Supply Tariff) Regulations, 2014 and OERC (Conduct of Business) Regulations, 2004 and other Tariff related matters.

AND

CASE NOS. 112, 113, 114 & 115 of 2021

**DATE OF HEARING: 23.02.2022 at 11.00 A.M (TPSODL),
25.02.2022 at 11.00 A.M (TPWODL),
25.02.2022 at 03.00 P.M (TPNODL),
28.02.2021 at 11.00 A.M (TPCODL)**

IN THE MATTER OF: Applications under Section 42 of the Electricity Act, 2003 read with OERC (Terms and Conditions of Intra-State Open Access Charges) Regulations, 2020 for approval of Wheeling Charges, Cross Subsidy Surcharge and Additional Surcharge for FY 2022-23 of DISCOMs namely TPWODL (erstwhile WESCO Utility), TPNODL(erstwhile-NESCO Utility), TPCODL (erstwhile- CESU) & TPSODL (erstwhile- SOUTHCO Utility).

AND

CASE NO. 116 of 2021

DATE OF HEARING : 25.02.2022 at 11.00A.M (TPWODL),

In the matter of: Application for approval of Truing up expenses for the period of FY 2020-21 in compliance to the directions of the Commission vide para 53 of the vesting order dated 28.12.2020 passed in Suo Motu proceeding in Case No. 82 of 2020.

AND

CASE NO. 117 of 2021

DATE OF HEARING : 23.02.2022 at 11.00 A.M (TPSODL)

In the matter of: Application for approval of Truing up expenses for the period of FY 2020-21 in compliance to the directions of the Commission vide para 57 of the vesting order dated 28.12.2020 passed in Suo Motu proceeding in Case No. 83 of 2020.

AND

CASE NO. 118 of 2021

DATE OF HEARING: 28. 02.2021 11.00 A.M (TPCODL)

In the matter of: Application for approval of Truing up expenses for the period of FY 2020-21(June, 2020 to March, 2021) in compliance to the directions of the Commission vide their vesting order dated 26.05.2020 passed in Suo Motu proceeding in Case No.11 of 2020.

ORDER

The Distribution Companies in Odisha namely TPNODL, TPWODL, TPSODL and TPCODL are carrying out the business of distribution and retail supply of electricity in their licensed areas as detailed below:

Table – 1

| Sl. No. | Name of DISCOMS | Licensed Areas (Districts) | %age area of the State |
|---------------------|------------------------|--|-------------------------------|
| 1. | TPNODL | Mayurbhanj, Keonjhar, Bhadrak, Balasore and major part of Jajpur. | 18.0 |
| 2. | TPWODL | Sambalpur, Sundargarh, Bolangir, Bargarh, Deogarh, Nuapara, Kalahandi, Sonepur and Jharsuguda. | 32.3 |
| 3. | TPSODL | Ganjam, Gajapati, Kandhamal, Boudh, Rayagada, Koraput, Nawarangpur and Malkanagiri. | 30.8 |
| 4. | TPCODL | Puri, Khurda, Nayagarh, Cuttack, Denkanal, Jagatsinghpur, Angul, Kendrapara and some part of Jajpur. | 18.9 |
| Odisha Total | | | 100.0 |

The Commission initiated proceedings on the filing of Aggregate Revenue Requirement (ARR), Wheeling Tariff and Retail Supply Tariff Applications (RST) for FY 2022-23 of these Distribution Companies under relevant provisions of the Electricity Act, 2003. By this common Order, the Commission considers aforesaid Aggregate Revenue Requirement (ARR), Wheeling Tariff and RST applications of the above mentioned Distribution Utilities and other related tariff matters.

A. PROCEDURAL HISTORY (PARA 2 TO 13)

2. After the revocation of licenses of distribution Utilities such as CESU, NESCO Utility, WESCO Utility and SOUTHCO Utility, the Commission under Section 21 of the Electricity Act, 2003 by its order dated 26.05.2020 in Case No.11 of 2020 has vested the Utility of CESU with TP Central Odisha Distribution Limited (TPCODL). Similarly the Commission under Section 21 of the Electricity Act, 2003 by its orders in Case No. 82 of 2020 (dated 28.12.2020), Case No. 83 of 2020 (dated 28.12.2020) and Case No. 09 of 2021(dated 25.03.2021) has vested the Utilities of WESCO and SOUTHCO and NESCO with TP Western Odisha Distribution Limited (TPWODL), TP Southern Odisha Distribution Limited (TPSODL) and TP Northern Odisha Distribution Limited (TPNODL) respectively. Accordingly, a responsibility of erstwhile distribution utilities has been transferred to TPCODL, TPWODL, TPSODL, TPNODL with effect from 01.06.2020, 01.01.2021, 01.01.2021 and 01.04.2021 respectively.
3. As per OERC (Conduct of Business) Regulations, 2004 and OERC (Terms and Conditions for determination of Wheeling and Retail Supply Tariff) Regulations, 2014 the Distribution Utilities i.e. TPNODL (erstwhile NESCO Utility), TPWODL (erstwhile WESCO Utility), TPSODL (erstwhile SOUTHCO Utility) and TPCODL

(erstwhile CESU) have filed their Aggregate Revenue Requirement (ARR), Wheeling Tariff and Retail Supply Tariff Application (RST) for FY 2022-23 on or before 30th November, 2021.

4. The said Aggregate Revenue Requirement (ARR), Wheeling Tariff & Retail Supply Tariff applications were duly scrutinized and registered as Case Nos. 108/2021 (TPNODL), 109/2021 (TPWODL), 110/2021 (TPSODL) and 111/2021 (TPCODL) respectively.
5. As per the direction of the Commission, applicants have published the Aggregate Revenue Requirement (ARR), Wheeling & RST tariff Applications in the prescribed formats in the leading and widely circulated Odia and English newspaper in their area of supply in order to invite objections/suggestions from the general public. The above applications were also posted in the Commission's website (www.orierc.org) including the website of the Distribution Utilities. The Commission had also directed the applicants to file their respective rejoinder to the objections filed by the all the objectors.
6. In response to the said public notices, the Commission received objections/ suggestions from the following persons/ associations/ institutions/ organizations as mentioned below against each of the respective distribution companies:-

Objections/suggestions on TPNODL's application by: -

(1) Shri Akshya Kumar Sahani, Retd. Electrical Inspector, GoO, B/L-108, VSS Nagar, Bhubaneswar-751007, (2) M/s. MSP Sponge Iron Ltd., At-Haldiaguna, P.O: Gabardhan, Dist.-Keonjhar-58013, (3) Shri Ramesh Ch. Satpathy, Secretary, National Institute of Indian Labour & President, Upobhokta Mahasangha, Plot No.302(B), Beherasahi, Nayapalli, Bhubaneswar-751012, (4) Shri Priyabrata sahu, S/O.Late Adikanda Sahu, At-Bijay Bihar, 3rd Lane, P.O: Berhampur, Dist.-Ganjam-760001, (5) Shri Ashok Kumar Nanda, S/o. Late Banbihari Nanda, Convener, Odisha Janashakti Manch, Plot No.196/2282, Mukti Nilay, Khandagiri, Bhubaneswar-751030, (6) M/s. Utkal Chamber of Commerce & Industry Ltd.(UCCI), N-6, IRC Village, Nayapalli, Bhubaneswar-751015, (7) M/s. Indian Energy Exchange, Plot No.C-001/A/1, 9th Floor, Max Towers, Sector-16B, Noida, Gautam Buddha Nagar, UP-201301 (8) Shri K. Prabhakar Dora, Vidya Nagar, 3rd Line, Co-Operative Colony, Rayagada, Dist. Rayagada-765001, (9) Shri Soumya Ranjan Patnaik, S/o. Late Brajabandhu Patnaik, MLA, Khandapada, Plot No.185, VIP Colony, Nayapalli, Bhubaneswar-751015, (10)

M/s. Tata Steel Ltd., Kalinga Nagar Industrial Complex, Duburi, JK Road, Dist.-Jajpur-755026, (11) M/s. Grinity Power Tech Pvt. Ltd., At-K-8/82, Kalinga Nagar, Ghatikia, Bhubaneswar-751029, (12) Managing Director, GRIDCO Ltd., Janpath, Bhubaneswar-22, (13) Shri Nilambar Mishra, M/s. Odisha Consumer Association, Balasore Chapter (Consumer Counsel), At/Po-Rudhunga, Via/Ps-Simulia, Dist-Balasore-756126, (14) Secretary, PRAYAS, Energy Group, Amrita Clinic, Athawale Corner, Carve Road, Pune-411004, India (Consumer Counsel), (15) Shri B. K. Das, G.M.(RT&C), OPTCL, Janpath, Bhubaneswar-22, (16) Shri R.P. Mahapatra, Retd. Chief Engineer & Member (GEN), OSEB, Plot No. 775(Pt.), Lane-3, Jayadev Vihar, BBSR-751013, (17) Shri Ananda Kumar Mohapatra, S/o. Jachindranath Mohapatra, Power Analyst, Plot No. 799/4, Kotitirtha Lane, Po-OLD Town, PS-Lingaraj Police Station, Bhubaneswar-751002 and the representative of Govt. of Odisha, Department of Energy, Govt. Bhubaneswar-01.

All the above named objectors had filed their objections/suggestions and out of the above Objectors, Objector Nos. 2, 7, 8, 9 and 11 & the Consumer Counsel- PRAYAS, Energy Group, Amrita Clinic, Athawale Corner, Carve Road, Pune-411004, India were not present during tariff hearing through Virtual Mode. All the written submissions filed by objectors were taken on record and also considered by the Commission. The Commission heard the applicant, the Objectors, Consumer Counsel, Balasore Chapter and those who were present during hearing through virtual mode.

Objections/suggestions on TPWODL's (Erstwhile WESCO Utility)'s application by:

(1) M/s. Scan Steels Ltd., At-Main Road, Rajgangpur, Dist.-Sundargarh-770017, (2) Shri Akshya Kumar Sahani, Retd. Electrical Inspector, GoO, B/L-108, VSS Nagar, Bhubaneswar-751007, (3) M/s. Bajrangabali Sponge & Power Ltd., At-Plot No. 82, IDC, Kalunga, Dist.-Sundargarh-770031, (4) M/s. Bajrang Steel & Alloys Ltd., Plot No. 31, Goibhanga, Kalunga, Rourkela, Dist.-Sundargarh-770031, (5) Shri Priyabrata sahu, S/O. Late Adikanda Sahu, At-Bijay Bihar, 3rd Lane, P.O: Berhampur, Dist.-Ganjam-760001, (6) Shri Ramesh Ch. Satpathy, Secretary, National Institute of Indian Labour & President, Upobhokta Mahasangha, Plot No. 302(B), Beherasahi, Nayapalli, Bhubaneswar-751012, (7) M/s. Utkal Chamber of Commerce & Industry Ltd. (UCCI), N-6, IRC Village, Nayapalli, Bhubaneswar-751015, (8) Shri Ashok Kumar Nanda, S/o. Late Banbihari Nanda, Convener, Odisha Janashakti Manch, Plot No.196/2282, Mukti Nilay, Khandagiri, Bhubaneswar-751030, (9) M/s. Subh Ispat (P) Ltd., At-