

**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. 116 of 2023, 119 of 2023, 122 of 2023 & 125 of 2023,

**DATE OF HEARING : 05.02.2024 at 11.00 A.M (TPWODL),
06.02.2024 at 11.00A.M (TPSODL),
02.02.2024 at 11.00A.M (TPNODL),
03.02.2024 at 11.00 A.M (TPCODL)**

DATE OF ORDER 13.02.2024

IN THE MATTER OF: Applications of Distribution Companies TPWODL, TPSODL, TPNODL & TPCODL for approval of their Aggregate Revenue Requirement (ARR), Wheeling Tariff and Retail Supply Tariff for FY 2024-25 under Sections 62, 64 & 86 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, 2022 and OERC (Conduct of Business) Regulations, 2004 and other Tariff related matters.

AND

CASE NOS. 118 of 2023, 121 of 2023, 124 of 2023 & 127 of 2023

**DATE OF HEARING : 05.02.2024 at 11.00 A.M (TPWODL),
06.02.2024 at 11.00A.M (TPSODL),
02.02.2024 at 11.00A.M (TPNODL),
03.02.2024 at 11.00 A.M (TPCODL)**

IN THE MATTER OF: Applications for approval of Open Access Charges for FY 2024-25 in accordance with Paras 22, 23, 24 & 25 of Chapter 5 OERC (Terms and Conditions of Intra-State Open Access Charges) Regulations, 2020 for approval of Wheeling Charges, Cross Subsidy Surcharge, Additional Surcharge & Standby charges applicable to Open Access Customers for use of intra-state transmission/ distribution system in view of Section 42 of the Electricity Act, 2003 of DISCOMs namely TPWODL, TPSODL, TPNODL & TPCODL.

AND

CASE NO. 117 of 2023

DATE OF HEARING : 05.02..2024 at 11.00 A.M (TPWODL)

IN THE MATTER OF: Application for approval of Truing up expenses for the period of FY 2022-23 along with reconsideration/revisit of Truing up for FY2020-21 (3 months) and for FY 2021-22 under Sections 62, 86(1) and all other applicable provisions of the Electricity Act, 2003 read with relevant provisions of OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulations, 2004 and other Tariff related matters.

AND
CASE NO. 120 of 2023

DATE OF HEARING : 06.02.2024 at 11.00 A.M (TPSODL)

IN THE MATTER OF: Application for approval of Truing up expenses for the period of FY 2022-23 along with reconsideration/revisit of Truing up for FY2020-21 (3 months) and for FY 2021-22 under Sections 62, 86(1) and all other applicable provisions of the Electricity Act, 2003 read with relevant provisions of OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulations, 2004 and other Tariff related matters.

AND
CASE NO. 123 of 2023

DATE OF HEARING : 02.02.2024 at 11.00 A.M (TPNODL)

IN THE MATTER OF: Application for approval of Truing up expenses for the period of FY 2022-23 under Sections 62, 86(1) and all other applicable provisions of the Electricity Act, 2003 read with relevant provisions of OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulations, 2004 and other Tariff related matters.

AND
CASE NO. 126 of 2023

DATE OF HEARING : 03.02.2024 at 11.00 A.M (TPCODL)

IN THE MATTER OF: Application for approval of Truing up expenses for the period of FY 2022-23 along with reconsideration/revisit of Truing up for FY2020-21 and for FY 2021-22 under Sections 62, 86(1) and all other applicable provisions of the Electricity Act, 2003 read with relevant provisions of OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulations, 2004 and other Tariff related matters.

ORDER

The Distribution Companies in Odisha namely TPNODL, TPWODL, TPCODL and TPSODL 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	Nos. of Consumers (As on 31.03.2023)
1.	TPNODL	Mayurbhanj, Keonjhar, Bhadrak, Balasore and major part of Jajpur.	18.0	2089083
2.	TPWODL	Sambalpur, Sundargarh, Bolangir, Bargarh, Deogarh, Nuapara, Kalahandi, Sonepur and Jharsuguda.	32.3	2257722
3.	TPCODL	Puri, Khurda, Nayagarh, Cuttack, Denkanal, Jagatsinghpur, Angul, Kendrapara and some part of Jajpur.	18.9	2927462
4.	TPSODL	Ganjam, Gajapati, Kandhamal, Boudh, Rayagada, Koraput, Nawarangpur and Malkanagiri.	30.8	2027135
Odisha Total			100.0	9301402

The Commission had initiated proceedings on the filing of Aggregate Revenue Requirement (ARR), Wheeling Tariff and Retail Supply Tariff (RST) Applications for FY 2024-25 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 12)

2. By the Vesting Orders of the Commission in Case No. 09/2021, Case No.82/2020, Case No.11/2020 & Case No.83/2020, the Commission vested the responsibility of erstwhile Distribution Utilities with TPNODL, TPWODL, TPSODL and TPCODL with effect from 01.04.2021, 01.01.2021, 01.01.2021 & 01.06.2020 respectively.
3. As per OERC (Conduct of Business) Regulations, 2004 and OERC (Terms and Conditions for determination of Wheeling and Retail Supply Tariff) Regulations, 2022 the Distribution Utilities i.e. TPNODL, TPWODL, TPCODL and TPSODL have filed their Aggregate Revenue Requirement (ARR), Wheeling Tariff and Retail Supply Tariff Application (RST) for FY 2024-25 on or before 30th November, 2023.

4. The said Aggregate Revenue Requirement (ARR), Wheeling Tariff & Retail Supply Tariff applications were duly scrutinized and were registered as Case No. 122/2023 (TPNODL), Case No.116/2023 (TPWODL), Case No.125/2023 (TPCODL) and Case No.119/2023 (TPSODL) respectively.
5. As per the direction of the Commission, Applicants have published the Aggregate Revenue Requirement (ARR), Wheeling & RST tariff Applications in the prescribed format 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 on the Commission's website (www.orierc.org) including the website of the DISCOMs. The Commission had also directed the applicants to file their respective rejoinder to the objections filed by the all the Objectors. The Commission had also appointed the Consumer Counsels as follows:

Table – 2

Sl. No.	Name of the Organisations/persons with address	Name of the Distribution Utility from where the Consumer Counsel to represent
1	Orissa Consumers' Association, Balasore Chapter, Balasore-756126	TPNODL
2	Sambalpur District Consumers' Federation, Balaji Mandir Bhavan, Khetraipur, Sambalpur-678003	TPWODL
3	Sundargarh District Employee Association, AL-1, Basanti Nagar, Rourkela-769012	TPWODL
4	Secretary, Confederation of Citizen Association, 12/A, Forest Park, BBSR-9.	TPCODL
5	Grahak Panchayat, Friends Colony, Parlakhemundi, Dist : Gajapati-761200	TPSODL
6	The Secretary, PRAYAS Energy Group, Pune-411004	TPCODL, TPNODL, TPWODL & TPSODL

6. In response to the above 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 (Erstwhile NESCO Utility) application by: -

(1) Shri Ramesh Ch. Satpathy, Secretary, National Institute of Indian Labour & President, Upobhokta Mahasangha, Plot No. 302(B), Beherasahi, Nayapalli, Bhubaneswar-751012, (2) Shri Akshya Kumar Sahani, Retd. Electrical Inspector, GoO, B/L-108, VSS Nagar, Bhubaneswar-751007, 3. Shri Priyabrata Sahu, S/o. Late Adikanda Sahu, At-Bijay Bihar, 3rd Lane, P.O: Berhampur, Dist.-Ganjam-760004, 4.) M/s. Grinity Power Tech Pvt. Ltd., At-K-8/82, Kalinga Nagar, Ghatikia, Bhubaneswar-

751029, 5. M/s. Ferro Alloys Corporation Ltd.(FACOR), D P Nagar, Randia, Dist.-Bhadrak-756135, 6. Shaikh Suleman, C/o. Shaikh Mahimud, MIG-29, At-Little Odisha, P.O: Chattabar, P.S.-Chandaka, Near Shivani Engineering College, Chattabar, Khordha-752054, 7. Shri Soumya Ranjan Patnaik, S/o. Late Brajabandhu Patnaik, MLA, Khandapada, Plot No.185, VIP Colony, Nayapalli, Bhubaneswar-751015, 8. M/s. North Odisha Chamber of Commerce and Industry (NOCCI), Ganeswarpur Industrial Estate, Januganj, Balasore-756019, 9. M/s. Visa Steel Ltd., Kalinganagar Industrial Complex, At/P.O: Jakhapura, Dist.-Jajpur-755026, 10. M/s. Jindal Stainless Ltd., Kalinganagar Industrial Complex, Jajpur-755026, 11. Shri Prabhakar Dora, Vidya Nagar, 3rd Line, Co-Operative Colony, Rayagada, Dist. Rayagada-765001, 12. M/s. Utkal Chamber of Commerce & Industry Ltd. (UCCI), N-6, IRC Village, Nayapalli, Bhubaneswar-751015, 13.M/s. Bharati Airtel Ltd., E-13/1, Infocity, Chandaka Industrial Estate, Chandrasekharapur, Bhubaneswar-751024, 14. Odisha Power Transmission Corporation Ltd., Janpath, Bhubaneswar-751022, 15. M/s. East Cost Railway, Rail Sadan, Chandrasekharapur, Bhubaneswar-751017, 16. M/s. Tata Steel Ltd, Kalinganagar Industrial Complex, At/P.O: Duburi, JK Road, Dist.-Jajpur-755026, 17. Shri Panchanana Jena, S/O. Late Bairagi Jena, Working President, Bijuli Karmachari Sangha, Sakti Nagar, 3rd Lane, Engineering School Road, Berhampur-760010, 18. Odisha Consumers Association, Balasore Chapter, C/O-Shri Nilambar Mishra, At/P.O: Rudhungaon, Simulia, Balasore (Consumer Counsel), 19. Secretary, PRAYAS, Energy Group, Amrita Clinic, Athawale Corner, Carve Road, Pune-411004, India (Consumer Counsel), 20. The Principal Secretary to Govt. Department of Energy, Govt of Odisha.

All the above-named Objectors had filed their objections/suggestions and out of the above list, the Objectors at Sl. Nos. 11, 12, 17 and 18 and the Consumer Counsels namely Odisha Consumers Association, Balasore Chapter, Balasore were absent during hearing through hybrid mode. All written submissions filed by objectors were taken on record and considered by the Commission. The Commission heard the applicant, the Objectors, Consumer Council- WISE appointed by the OERC and Shri Lalit Kumar Mishra, DGM (Finance), along with Shri B. K. Das, Sr. GM(PP), GRIDCO Ltd. representing M/s. GRIDCO Ltd. during hearing though they did not register their names. However, representatives of GRIDCO have not submitted any written note on their submissions during hearing. All written submissions filed by objectors were taken on record and considered by the Commission.