

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present: Shri. Preman Dinaraj, Chairman
 Shri. S. Venugopal, Member

Petition No. OA 29/2019

In the matter of : Proposal to recover the additional cost incurred during the period April 2019 to June 2019 over approved level on Generation and Power Purchase due to variation in cost of fuel, from all consumers including Bulk Consumers and other Licensees.

Petitioner : Kerala State Electricity Board Limited.

order dated 14.02.2020

1. Kerala State Electricity Board Limited (hereinafter referred to as KSEB Ltd or the petitioner) filed a petition for the approval of the fuel surcharge for the period from April 2019 to June 2019 on 27.09.2019 with petition for Condonation of delay. The prayers in the petition are:
 - (a) *The additional financial liability incurred by KSEBL, amounting to Rs 72.75 Cr., due to the variation in power purchase cost resulting from the variation in cost of fuel for the period from April to June 2019 for the procurement/ generation of energy from various thermal sources as per fuel surcharge regulations as detailed in Annexure II & III to this petition may kindly be approved.*
 - (b) *This approved additional cost may kindly be allowed to be recovered from consumers including bulk consumers and other licensees as fuel surcharge, as per the Regulation 86 of KSERC Tariff Regulations, 2018, from October 2019 onwards, @ 13 paise per unit.*
2. The details of the additional liability claimed by KSEB Ltd as fuel surcharge is summarized below.

Table-1
Summary of the additional liability claimed by KSEB Ltd as fuel surcharge

Sl No	Source	Approved	Actuals (Rs/ kWh)			Energy procured at Exbus	Addl liability claimed as FS
		(Rs/ kWh)	Apr-19	May-19	Jun-19	(MU)	(Rs.Cr)
Central Generating Stations							
1	NTPC-RSTPS Stage I & II	2.49	2.69	2.55	2.56	484.25	4.85
2	NTPC-RSTPS Stage III	2.45	2.64	2.51	2.52	127.04	1.31
3	Talcher	1.73	1.9	2.07	1.91	771.6	17.51
4	Simhadri TPS Stage II	2.89	3.32	3.22	3.19	185.37	4.82
5	NLC-Stage-1	2.64	2.64	2.64	2.64	121.31	-0.01
6	NLC-Stage-II	2.64	2.64	2.64	2.64	145.6	-0.02
7	NLC I Expansion	2.44	2.42	2.43	2.43	115.89	-0.14
8	NLC II Expansion	2.44	2.48	2.48	2.48	64.66	0.27
9	Vallur STPS	3.13	3.81	3.78	4.07	95.8	6.31
10	NTPL	3.21	3.44	3.55	3.41	76.53	1.87
11	NTPCKudgi	3.91	4.06	3.73	3.76	107.7	-0.14
Independent Power Producers							
12	RTPS	2.25	2.2	2.56	2.7	57.17	1.32
13	Mejia	2.41	2.8	3.16	2.75	186.02	9.22
14	Maithon -I	2.34	2.69	2.68	2.73	267.45	9.65
15	Maithon -II	2.34	2.69	2.68	2.73	267.43	9.65
16	Jindal Power Ltd-Bid I	1.29	1.29	1.27	1.31	364.98	-0.01
17	Jhabua Power Ltd-Bid I	1.91	1.95	1.95	1.95	189.89	0.76
18	Jindal Power Ltd-Bid II	1.19	1.29	1.26	1.3	217.3	2.05
19	Jhabua Power Ltd-Bid II	1.73	1.87	1.87	1.87	165.12	2.31
20	JITPL	1.03	1.14	1.14	1.14	175.1	1.92
21	BALCO	1.19	1.15	1.15	1.15	198.71	-0.75
	Total					4384.92	72.75

3. KSEB Ltd proposed to recover the additional liability as fuel surcharge @Rs. 0.13/unit, from October 2019 onwards, as detailed below.

Table 2
Rate of fuel surcharge claimed by KSEB Ltd

Amount of Fuel Surcharge (F) in crores	72.75
Energy billed for Retail sale to whole consumers for the period from October to December 2019 (E) in MU	5683.94
Energy billed for domestic consumers having monthly consumption less than 20 units and connected load below 500 W for the period October to December 2019 in MU	0.22
Energy billed for Retail sale to consumers other than the domestic consumers with connected load less than 500 W and monthly consumption below 20 units consumers for the period from October to December 2019 (E) in MU	5683.72
Rate of fuel surcharge in Paise per unit	12.8
Rounded to 13 Paise per unit	

4. As per the sub Regulation (6) of Regulation 86 of the Tariff Regulation, 2018, KSEB Ltd has to file the petition with all relevant details for the approval of the amount of fuel surcharge to be recovered/ adjusted from the consumers, within 30 days after the close of each quarter. Accordingly, the petition has to be filed on or before 30th of July 2019. However, the petition was filed on 27.09.2019 with a delay of 58 days in filing the petition. KSEB Ltd has filed an application for 'condonation of delay' along with the original petition, wherein it is submitted that, the delay occurred mainly on account of the delay in finalizing the regional energy accounts (REA) by the SRPC. Further, the Commission approved the ARR&ERC only on 08.07.2019 and communicated the approval of the monthly schedule of power purchase only by 06.08.2019.
5. The Commission condoned the delay in filing the petition for the approval of the fuel surcharge for the first quarter of the FY 2019-20 and admitted the petition as OA No 29/2019. The Commission vide the letter dated 06.11.2019 has directed KSEB Ltd to submit the copies of the invoices raised by the generators/ traders in support of the fuel surcharge for each month of the quarter from April-2019 to June 2019. KSEB Ltd submitted the details on 21.11.2019.
6. A copy of the petition was published it in the website of the Commission for comments of the stakeholders. Public hearing on the petition was held at the Court Hall of the Commission on 27.11.2019. The list of the stakeholders who participated in the deliberations of the subject petition is given as Annexure-1.
7. Sri K G P Nampoothiri, Executive Engineer presented the petition on behalf of KSEB Ltd and responded to the queries of the Commission. KSEB Ltd submitted that, the total additional liability incurred by KSEB Ltd during the first quarter of the financial year 2019-20 over approved level is Rs 75.93 crore. However as per the provisions of the KSERC (Terms and Conditions of Determination of Tariff) Regulations, 2018, the additional liability admissible as fuel surcharge is Rs 72.75 crore. KSEB Ltd proposed to recover the amount admissible @Rs 0.13/unit from the consumers from October 2019 onwards.
8. Sri Dijo Kappen, submitted that, the Commission had enhanced the tariff of domestic and other categories of consumers in the month of July 2019. The people in the State is just recovering from the two consecutive floods. Further, there is about 82% storage at the reservoirs of the hydel plants of KSEB Ltd. As per the reports available, KSEB Ltd has been running at no profit no loss condition. Hence there is no need to allow the KSEB Ltd to recover the fuel surcharge from the consumers as proposed by KSEB Ltd. The Commission may examine in detail power purchases made by KSEB Ltd during the first quarter and if there is any reduction in overall cost of power purchase over approved level, it shall be passed on to consumers.
9. Sri Pradeep, HT & EHT Association made a detailed presentation on the subject petition. As per the petition, the T&D loss claimed is 12.63%, 15.52%

and 8.66% respectively for the months for April, May and June 2019. KSEB Ltd may be directed to clarify the reason for such abnormal variations.

The power purchase from CGS and IPPs are much less than the approved level. KSEB Ltd has to clarify the reasons for such variations. Further, KSEB Ltd has to provide the details of the fixed cost paid and penalties, if any, imposed on CGS and IPPs for short supply of power.

10. Sri. Panangottukonam Vijayan, Federation of Residents' Associations Kerala (FERKA) strongly objected to the petition and requested the Commission to reject the petition. He further submitted that, the consumers are facing severe financial crisis due to the flood, loss of jobs due to recession etc. In other States, the State Governments are providing free electricity to the consumers.

The officials of KSEB Ltd were annoying the consumers of the State by not providing proper services. Majority of the consumers has no access to the online facility to remit electricity charges etc, hence the facilities of cash counters shall be continued at section offices.

11. Sri. Sunil Kumar, Green Land Paper Mills submitted that, if the surcharge is imposed, it may results in double impact on the consumers. In addition to the increase in electricity charges, the price of all essential commodities also will be increased due to increase in electricity charges.
12. Sri. Mohanan, Senior Journalist, Pothujanam daily, submitted that KSEB Ltd had 70 Lakh distribution poles in the State and KSEB Ltd may be directed to allow to place advertisement on these poles on payment basis. KSEB Ltd can earn an additional revenue of about Rs 2000.00 crore by this means and the same can be shared between KSEB Ltd and consumers on 50: 50 basis.
13. Sri A Gopakumar, Organising secretary, FERKA stated that KSEB Ltd received power at rates less than that approved by the Commission. Further, it seems that KSEB had purchased power at higher rates even when there was possibility of obtaining power at lower cost.
14. Sri. Jose Paul, submitted that industrial units may be allowed to consume electricity without remitting electricity charges for initial 3 years and thereafter may be allowed to remit the same along with monthly charges on instalment basis. The fixed charges shall be eliminated and procedure for taking electric connection may be simplified.
15. KSEB Ltd, further submitted that, the copies of the invoices raised by the CGS and IPPs are already submitted before the Commission. The payments to the CGS and IPPs are made as per the provisions of the power purchase agreement signed by KSEB Ltd with them, The details of the hydro thermal variation for the year 2018-19 shall be submitted before the Commission along with the petition for truing up of accounts.
16. Based on the deliberations during the hearing, the Commission, vide the daily order dated 13.12.2019 directed the KSEB Ltd to submit the following.

- (1) Reasons for the reduction in energy availability from the Central Generating Stations and IPPs compared to the approved level during the first quarter, with justification if any.
 - (2) Reason for the difference in internal generation and power purchase from each source during the months of April 2019 to June 2019.
 - (3) The details of the actual heat rate claimed as per the invoices raised by CGS and IPPs against the normative heat rate approved by the CERC during the first quarter of the FY 2019-20. The details pertaining to each approved source shall be provided separately. Further, the details of the penalties, if any, imposed on account of higher heat rate claimed by the generators shall also be provided.
 - (4) A copy of the long term PPAs with the all Central Generating Stations shall also be provided.
17. KSEB Ltd vide the letter dated 30.12.2019 submitted the additional details sought by the Commission vide the daily order dated 13.12.2019. The summary of the details submitted by KSEB Ltd is given below.

- (1) Reduction in energy availability from CGS and IPPs compared to the approved level.

The reduction in energy availability from CGS and IPPs compared to the approved level during the first quarter of the FY 2019-20 was due to the following reasons.

- (i) Due to change in annual maintenance schedule
- (ii) Due to unscheduled outages in generating stations as well as transmission lines
- (iii) Coal shortage
- (iv) Due to change in normative auxiliary consumption and plant load factor in the Tariff Regulations 2019-2024

KSEBL estimated the energy availability of the CGS in the MYT petition based on the maintenance schedule of past years. The annual maintenance schedule of the CGS for the year 2019-20 was not published at the time of preparation of MYT petition. The actual maintenance schedule has varied in 2019-20 and thus the energy availability has varied accordingly. In addition to the scheduled outages, unscheduled outages of CGS also occurred during first quarter due to various reasons including coal shortage. Further the CERC Tariff regulations for the control period from 2019-2024 came

into force subsequently and there is difference in normative PLF, PAF and auxiliary consumption of certain stations.

- (2) Reasons for the difference in internal generation and power purchase from each source.

The internal hydro generation for the first quarter of FY-20 was 265.31MU less than the approved values. Due to reduction in rainfall during June-2019 and absence of summer rains, the inflow during first quarter is 749.30 MU less than the estimated inflow for first quarter and this in turn reduces the hydro energy availability.

- (3) Details of Station heat rate

The station heat rate used in the invoices of stations, whose tariff is determined by CERC, is as per the norms specified in Tariff Regulations. The station heat rate used in the invoices raised by generators contracted through DBFOO basis is as per PSA for all stations except Jhabua Power Ltd –PSA I. The station heat rate allowed to all the stations are as per the provisions in norms and PSA and penalty as per provisions in PSA was imposed on Jhabua Power Ltd against PSA I. The details of the Station Heat Rate (SHR) as per the CERC norms/ PPA and the same claimed in the invoices are given below.

Table-3
Station Heat Rate claimed by CGS and IPPs

Sl No		SHR	Actual heat rate claimed			Details of Penalty
		CERC norms	April	May	June	
I. CGS						
1	RSTPS I & II	2401.43	2401.43	2401.43	2401.43	NA
2	RSTPS III	2390	2390	2390	2390	NA
3	Talcher Stage-II	2390	2390	2390	2390	NA
4	Simhadri TPS Stage II	2359.45	2359.45	2359.45	2359.45	NA
5	NLC Stage-I	2890	2890	2890	2890	NA
6	NLC Stage-II	2890	2890	2890	2890	NA
7	NLC 1 Expansion	2720	2720	2720	2720	NA
8	NLC II Expansion	2559.94	2559.94	2559.94	2559.94	NA
9	Vallur STPS	2359	2359	2359	2359	NA
10	NTPL	2359	2359	2359	2359	NA
11	Kudgi	2221	2221	2221	2221	NA
II. IPPS- Tariff determined by CERC						
12	DVC Reghunathpur TPS	2350.17	2350.17	2350.17	2350.17	NA
13	DVC Mejia TPS	2374.1	2374.1	2374.1	2374.1	NA
14	Maithon Power Ltd- I	2375	2375	2375	2375	NA
15	Maithon Power Ltd- II	2375	2375	2375	2375	NA

16	Jindal Power Ltd-PSA I	2333.99	2333.99	2333.99	2333.99	NA
	III. DBFOO contracts	SHR as per PSA				
17	Jhabhua- Bid1	2350	2465.2	2465.2	2465.2	Penalty imposed on FC - dispute
18	Jindal- Bid2	2330.49	2330.49	2330.49	2330.49	NA
19	Jhabhua- Bid2	2351.42	2351.42	2351.42	2351.42	NA
20	Jindal India Thermal- Bid2	2354	2354	2354	2354	NA
21	BALCO	2354	2354	2354	2354	NA

- (4) Copies of the long term PPA with CGS. KSEB Ltd submitted the copies of the long term PPAs entered into with CGS.

Analysis and Decision

18. The Commission has examined in detail the petition filed by KSEB Ltd, the objections made by the stakeholders, additional submissions made by KSEB Ltd, with reference to the provisions of the Electricity Act, 2003 and Tariff Regulations, 2018 notified by the Commission and directions issued by the Hon'ble Appellate Tribunal for Electricity (APTEL) to the State Commissions.
19. The Section 62(4) of the Electricity Act, 2003 provides for recovery of fuel surcharge as per the fuel surcharge formula specified by the Commission.

The Section 62(4) of the Electricity Act-2003 is extracted below for ready reference.

“(4) No tariff or part of any tariff may ordinarily be amended more frequently than once in any financial year, except in respect of any changes expressly permitted under the terms of any fuel surcharge formula as may be specified.”

20. Hon'ble APTEL vide the judgment dated 11.11.2011 in OP No. 1 of 2011 had issued directions to all the State Commissions in the Country, regarding the fuel surcharge as follows.

65. In view of the analysis and discussion made above, we deem it fit to issue the following directions to the State Commissions:

.....

(vi) Fuel and Power Purchase cost is a major expense of the distribution Company which is uncontrollable. Every State Commission must have in place a mechanism for Fuel and Power Purchase cost in terms of Section 62 (4) of the Act. The Fuel and Power Purchase cost adjustment should preferably be on monthly basis on the lines of the Central Commission's Regulations for the generating companies but in no case exceeding a quarter. Any State Commission which does not already have such formula/mechanism in place must within 6 months of the date of this order must put in place such formula/ mechanism.”

21. The Regulation-86 of the KSERC (Terms and Conditions for Determination of Tariff) Regulations, 2018 (herein after referred as Tariff Regulations, 2018), deals with the 'Fuel Surcharge Formula' and related aspects, which is extracted below for ready reference.

"86. Fuel surcharge formula.-(1) The tariff or part of any tariff determined in accordance with these Regulations, shall not ordinarily be amended, more frequently than once in any financial year, except in respect of any changes expressly permitted by the Commission under the terms of fuel surcharge formula specified in this Regulation.

(2) Fuel surcharge is the amount approved by the Commission in terms of the formula specified under Annexure X, by way of recovery from or refund to the consumer, so as to enable the distribution business/licensee to pass through to the consumer additional expenditure or savings due to:

(i) the difference between the actual cost of fuel and the cost of fuel approved in Aggregate Revenue Requirement by the Commission for the generation of electricity in the generating stations owned by the distribution business/licensee; and

(ii) the difference on account of the change in cost of fuel, between the actual cost of power purchase and the cost of power purchase as approved by the Commission in the Aggregate Revenue Requirement.

(3) The distribution business/licensee may be allowed by the Commission to adjust the fuel surcharge on a quarterly basis at the rate and the period of adjustment, as approved by the Commission based on the petition submitted by the distribution business/licensee specifically for this purpose.

(4) (a) The amount of fuel surcharge to be adjusted shall be determined by the Commission in accordance with the formula specified in Annexure X.

(b) The difference between the actual cost of fuel and the approved cost of fuel for own generation shall be computed for each quarter with respect to the month wise quantity of generation as approved by the Commission in the Aggregate Revenue Requirement of the distribution business/licensee, based on merit order.

(c) The difference between the actual cost of power purchase and the approved cost of power purchase on account of change in cost of fuel shall be computed for each quarter with respect to the month wise quantity of power purchase as approved by the Commission in the Aggregate Revenue Requirement of the distribution business/licensee, based on merit order.

(5) Every distribution business/licensee shall, within thirty days after the close of each quarter, submit to the Commission a petition with all relevant details required for the approval of the amount of fuel surcharge to be adjusted from the consumers and the rate and period of such adjustment:

Provided that distribution licensees who purchase electricity from KSEB Limited in bulk for retail sale, are exempted from the above requirement.

(6) The Commission may, after prudence check, approve with modifications if any, the amount of fuel surcharge to be adjusted from the consumers and stipulate the rate and the period of such adjustment.

(7) The rate of adjustment of fuel surcharge shall be expressed as paise per kWh and it shall be adjusted in the energy charges as per the existing tariff for the

energy billed to each consumer, on a monthly or bi-monthly basis, as the case may be.

(8) The adjustment on account of fuel surcharge as approved by the Commission shall be effected from the third month of the subsequent quarter onwards or as directed by the Commission.

(9) The fuel surcharge adjustment shall be uniformly applicable to all consumers in the State except the domestic consumers with connected load of and below 500 W and having monthly consumption of and below 20 units.

(10) The Commission may decide appropriate rate and period of adjustment of the amount of fuel surcharge, considering the impact on the tariff of consumers.

(11) (a) The distribution business/licensee shall submit to the Commission, the month-wise details of the changes in the cost of fuel with respect to the approved cost for all its generating stations using liquid fuel or gas or coal, for each quarter separately.

(b) The distribution business/licensee shall submit to the Commission, the source wise and month-wise details of the changes in the cost of power purchase with respect to the approved cost of power purchase on account of change in cost of fuel, for each quarter separately.

(c) The month-wise details as specified in clauses (a) and (b) above, shall be submitted in the Form-I as specified in Annexure-X to these Regulations, on a quarterly basis.

(12) (a) Distribution licensees who purchase electricity from KSEB Limited in bulk for retail sale, shall within fifteen days of the close of each month, provide to KSEB Limited with a copy to the Commission, the month-wise details of retail sale of energy to facilitate the estimation of fuel surcharge.

(b) KSEB Limited shall consolidate the details of such retail sales and indicate with calculations, the provisional amount and rate of fuel surcharge to be adjusted along with the details in Annexure X.

(13) The distribution licensees who purchase electricity in bulk from KSEB Limited shall promptly adjust with KSEB Limited on a monthly basis, the amount of fuel surcharge adjusted from their consumers.

(14) The Commission may seek additional information or any documents, if any, required from the distribution business/licensee and the distribution business/licensee shall submit the details within the time limit stipulated by the Commission.

22. The fuel surcharge formula specified under Annexure X to the Tariff Regulations, 2018 is extracted below.

‘ The Formula for adjustment of fuel surcharge shall be as under:

The rate of fuel surcharge adjustment in paise per kWh = $F \div E \times 100$

Where,-

F = The amount of fuel surcharge in rupees, which is the sum of **Fg, Fp and A**

E = Energy billed for retail sale to the consumers other than the domestic consumers with connected load of and below 500 W and consumption of and below 20 kWh, in the relevant quarter, based on the approved level of transmission and distribution loss

F_g = Change in the cost of fuel for generation of electricity from own stations

$$= \sum_1^n Q_g \times (R1 - R2)$$

F_p = Change in cost of the energy purchased, due to the change in fuel cost

$$= \sum_1^n Q_p \times (P1 - P2)$$

(F_g and F_p shall be calculated for each station month-wise and added up)

A = Balancing term to take care of difference, if any, in the energy sales

Q_g = Quantity of fuel used for generation of electricity in own stations
 = (Approved station heat rate in kilo calories per kWh X Actual or approved energy whichever is less in MU X 1000) ÷ Calorific value of the fuel in kilo calories per kilo gram

Q_p = Actual quantity of energy purchased or approved whichever is lesser

$R1$ = Actual price of fuel in rupees per metric ton

$R2$ = Approved price of fuel in rupees per metric ton

$P1$ = Actual price of purchased energy in rupees per kWh

$P2$ = Approved price of purchased energy in rupees per kWh

23. The Commission vide the paragraph 7.13 of the order dated 08.07.2019 in OA No.15/2018 has directed KSEB Ltd to strictly comply with the Regulation 86 of the Tariff Regulations, 2018 in filing the petition on fuel surcharge.
24. The Commission vide the order dated 08.07.2019 in OA No. 15/2018 in the matter of approval of the 'ARR, ERC and Tariff for the MYT period 2018-19 to 2021-22' has approved the source wise details of the power purchase and cost from various sources including 'Central Generating Stations (CGS)' and also the power purchase under long term contracts from private IPPs.

Further, the Commission vide the letter dated 06.08.2019 has communicated to KSEB Ltd the month wise details of the energy schedule approved from each of the CGS and long term contracts during the MYT period from 2018-19 to 2021-22.

The provisions of recovery of fuel surcharge provided in the Tariff Regulations 2018, is to recover the additional liability from the consumers and/or to pass on the savings to the consumers, in cost of power purchase from the approved sources due to variation in fuel cost by the distributions licensees.

25. KSEB Ltd has claimed fuel surcharge for the following DBFOO contracts of Bid-2 invited by KSEB Ltd, for which the Commission neither granted approval of the PPA nor adopted the tariff as per Section 63 of the Electricity Act, 2003.

- (i) 100 MW power from M/s Jindal India Thermal Power Ltd, New Delhi.
- (ii) 100 MW from M/s Jhabua Power Limited.
- (iii) 150 MW from M/s Jindal Power Limited.

The Commission, vide the letter dated 22.12.2017 allowed KSEB Ltd to schedule the above contracted power, in view of the order of the State Government GO (Ms) No. 22/2017/PD dated 21.10.2017,. The Commission had in the said letter clearly mentioned that, the approval of the power purchase mentioned above including the rate of the DBFOO contracts shall be given, only after getting approvals from Government of India for the deviations from the standard bidding documents issued by Ministry of Power, Government of India and after getting the approval of the Government of Kerala on the entire power purchase under DBFOO.

While approving the ARR, ERC and Tariff for the MYT period 2018-19 to 2021-22, the Commission stated as follows.

“Hence the Commission has considered scheduling power from the three projects of Bid-2, ie., 100 MW of power from M/s Jindal India Thermal Power Ltd, New Delhi, 100 MW of power from M/s Jhabua Power Limited and 150 MW of power M/s Jindal Power Limited for the limited purpose of estimating the ARR&ERC for the control period. Since the required approvals from Gol and State Government is still awaited, the Commission is constrained to use the rate equivalent to the cost of power from Balco, which is the L1 of Bid 2. The Commission emphasises that this consideration is only for the purposes of estimating the cost of power provisionally in the ARR and shall not be construed as an approval of the power purchase, rate or of the PPA itself as per Section 63 of the Act which can be considered only after the fulfilment of conditions specified by the Commission in its order dated 31-8-2016”.

The Commission noticed from the invoices and other documents submitted by KSEB Ltd that, the actual tariff paid by KSEB Ltd for procuring power from these three sources were much higher and amounted to Rs.22.38 crore more when compared to the L1 rate of Rs.4.15 per unit paid to BALCO which is the L1 of Bid-2. As mentioned above, the Commission vide its order dated 22.12.2017 had allowed KSEB Ltd, to schedule the contracted power from these three generators subject to conditions and while approving the ARR & ERC and tariff for the MYT period 2018-19 to 2021-22, the Commission had considered the rate equivalent to the cost of power from BALCO for estimating the cost of power provisionally from these three generators. The Commission reiterate that, during the truing up of accounts for the respective financial years, such excess amount incurred for procuring power from these three generators shall not be considered, unless KSEB Ltd gets the approval of power purchase from Government of India for the deviations from the

guidelines and on getting the approval of the Government of Kerala on the entire power purchase under DBFOO.

26. The Commission has also examined the clarifications on Station Heat Rate submitted by the KSEB Ltd. The CGS and the IPP's whose tariff determined by CERC, has adopted the normative Station Heat Rate (SHR) specified by the CERC in the Tariff Regulations 2019 for claiming the fuel cost. In the case of DBFOO contracts except Jhabua in Bid-1, the SHR as specified in the Power Supply Agreement (PSA) with the licensee has been adopted for claiming fuel cost.

Commission has examined in detail the provisions in the CERC (Terms and Conditions of Tariff) Regulations, 2019 (herein after refereed as CERC Tariff Regulations, 2019) regarding the SHR. As per the Regulation 60 of the CERC Tariff Regulations, 2019, the Station Heat Rate is a controllable item. It is further specified therein that the financial gains on account of the controllable parameters shall be shared in the ratio of 50:50 between the generating stations and beneficiaries on annual basis. The relevant portion of the CERC Tariff Regulations, 2019 is extracted below for ready reference.

“60. Sharing of gains due to variation in norms: (1) The generating company or the transmission licensee shall workout gains based on the actual performance of applicable Controllable parameters as under:

- (i) Station Heat Rate;*
- (ii) Secondary Fuel Oil Consumption; and*
- (iii) Auxiliary Energy Consumption.*

(2) The financial gains by the generating company or the transmission licensee, as the case may be, on account of controllable parameters shall be shared between generating company or transmission licensee and the beneficiaries or long term customers, as the case may be on annual basis. The financial gains computed as per the following formulae in case of generating station other than hydro generating stations on account of operational parameters as shown in Clause (1) of this Regulation shall be shared in the ratio of 50:50 between the generating stations and beneficiaries.

$$\text{Net Gain} = (\text{ECRN} - \text{ECRA}) \times \text{Scheduled Generation}$$

Where,

ECRN = Normative Energy Charge Rate computed on the basis of norms specified for Station Heat Rate, Auxiliary Energy Consumption and Secondary Fuel Oil consumption.

ECRA = Actual Energy Charge Rate computed on the basis of actual Station Heat Rate, Auxiliary Energy Consumption and Secondary Fuel Oil Consumption for the month.”

But it is not clear whether the CGS and IPPs are sharing the financial gains with the beneficiaries or not, and whether any follow up actions are being taken by the licensee in this regard. Hence, as per the provisions of the Regulation 60 of the CERC Tariff Regulations, 2019, KSEB Ltd shall take necessary steps with CGS and IPPs, to get the actual SHR of each stations

and to get the share of financial gains, if any, on account of actual SHR. If the CGS and IPPs are reluctant share the benefits as provided in the CERC Tariff Regulations, 2019, KSEB Ltd shall take up the issue with CERC in accordance with the CERC (Conduct of Business) Regulations, 1999.

27. The Commission has also noted that, in the case of Maithon-1 (150 MW), Maithon-2 (150 MW), DVC Mejia and DVC RTPS, KSEB Ltd has adopted the variable cost approved by the Commission for the year 2018-19 has adopted for claiming the fuel surcharge as against the same for the year 2020-21. The Commission has adopted the correct variable cost for admitting the fuel surcharge.
28. The month wise details of the power purchase and variable cost from each of the approved sources as per the ARR, ERC and Tariff order dated 08.07.2019 in OA No. 15/2018 and the actuals are detailed in the subsequent paragraphs.

Table-4
Talcher-II Super Thermal Power Station

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	289.76	270.80	270.80	270.80	1.73	1.90	4.47	4.47
May-19	299.42	259.25	259.25	259.25	1.73	2.07	8.76	8.76
Jun-19	289.76	241.56	241.56	241.56	1.73	1.91	4.28	4.28
Total	878.94	771.61	771.61	771.61	1.73	1.96	17.51	17.51

Table-5
Ramagundam Stage –I &II

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	164.66	157.02	157.02	157.02	2.49	2.69	3.12	3.12
May-19	153.95	162.43	153.95	153.95	2.49	2.55	0.91	0.86
Jun-19	125.46	164.79	125.46	125.46	2.49	2.56	1.14	0.87
Total	444.07	484.24	436.43	436.43	2.49	2.60	5.17	4.85

Table-6
Ramagundam STPS Stage-III

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	41.39	41.77	41.39	41.39	2.45	2.64	0.79	0.79
May-19	42.77	39.30	39.30	39.30	2.45	2.51	0.25	0.24
Jun-19	41.39	45.96	41.39	41.39	2.45	2.52	0.30	0.29
Total	125.55	127.03	122.08	122.08	2.45	2.56	1.34	1.31

Table-7
NLC-TPS-II Stage-1

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	27.22	40.22	27.22	27.22	2.64	2.64	0.00	0.00
May-19	35.86	40.36	35.86	35.86	2.64	2.64	0.00	0.00
Jun-19	27.22	40.73	27.22	27.22	2.64	2.64	0.00	0.00
Total	90.30	121.31	90.30	90.30	2.64	2.64	0.00	0.00

Table-8
NLC-TPS-II Stage-2

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	50.72	58.78	50.72	50.72	2.64	2.64	0.00	0.00
May-19	52.41	49.86	49.86	49.86	2.64	2.64	0.00	0.00
Jun-19	38.04	36.95	36.95	36.95	2.64	2.64	0.00	0.00
Total	141.17	145.59	137.53	137.53	2.64	2.64	0.00	0.00

Table-9
NLC-I- Expansion

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	38.35	44.93	38.35	38.35	2.44	2.44	0.00	0.00
May-19	39.63	42.95	39.63	39.63	2.44	2.42	-0.07	-0.07
Jun-19	38.35	28.01	28.01	28.01	2.44	2.43	-0.03	-0.03
Total	116.33	115.89	105.99	105.99	2.44	2.43	-0.10	-0.10

Table-10
NLC-II- Expansion

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	24.77	22.48	22.48	22.48	2.44	2.48	0.10	0.10
May-19	25.60	24.48	24.48	24.48	2.44	2.48	0.10	0.10
Jun-19	24.77	17.70	17.70	17.70	2.44	2.48	0.07	0.07
Total	75.14	64.66	64.66	64.66	2.44	2.48	0.27	0.27

Table-11
Simhadri STPS

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	51.46	53.40	51.46	51.46	2.89	3.32	2.30	2.21
May-19	53.18	64.01	53.18	53.18	2.89	3.22	2.11	1.75
Jun-19	28.28	67.96	28.28	28.28	2.89	3.19	2.04	0.85
Total	132.92	185.37	132.92	132.92	2.89	3.24	6.45	4.82

Table-12
Vallur STPS

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	20.58	33.10	20.58	20.58	3.13	3.81	2.25	1.40
May-19	31.90	30.78	30.78	30.78	3.13	3.78	2.00	2.00
Jun-19	30.87	31.91	30.87	30.87	3.13	4.07	3.00	2.90
Total	83.35	95.79	82.23	82.23	3.13	3.89	7.25	6.30

Table-13
NLC Tamilnadu Power Ltd (NTPL)

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	44.80	24.99	24.99	24.99	3.21	3.44	0.57	0.57
May-19	46.30	24.27	24.27	24.27	3.21	3.55	0.83	0.83
Jun-19	22.11	27.27	22.11	22.11	3.21	3.41	0.55	0.44
Total	113.21	76.53	71.37	71.37	3.21	3.46	1.95	1.84

Table-14
NTPC- Kudgi

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	66.24	53.13	53.13	53.13	3.91	4.00	0.48	0.48
May-19	68.45	35.96	35.96	35.96	3.91	3.73	-0.65	-0.65
Jun-19	66.24	18.97	18.97	18.97	3.91	3.76	-0.28	-0.28
Total	200.93	108.06	108.06	108.06	3.91	3.87	-0.45	-0.45

Table-15
Maithon- contract-1

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	99.31	93.67	93.67	93.67	2.39	2.69	2.84	2.84
May-19	102.62	99.41	99.41	99.41	2.39	2.68	2.91	2.91
Jun-19	99.31	74.36	74.36	74.36	2.39	2.73	2.55	2.55
Total	301.24	267.44	267.44	267.44	2.39	2.70	8.31	8.31

Table-16
Maithon- contract-2

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	99.31	93.67	93.67	93.67	2.39	2.69	2.84	2.84
May-19	102.62	99.41	99.41	99.41	2.39	2.68	2.91	2.91
Jun-19	99.31	74.36	74.36	74.36	2.39	2.73	2.55	2.55
Total	301.24	267.44	267.44	267.44	2.39	2.70	8.31	8.31

Table-17
DVC Mejia

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	63.44	56.89	56.57	56.89	2.46	2.78	1.83	1.83
May-19	65.56	68.35	65.56	65.56	2.46	3.16	4.80	4.60
Jun-19	63.44	61.10	61.10	61.10	2.46	2.75	1.78	1.78
Total	192.44	186.34	183.23	183.55	2.46	2.91	8.41	8.21

Table-18
DVC RSTPS

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	31.30	20.62	20.62	20.62	2.30	2.20	-0.20	-0.20
May-19	32.35	15.14	15.14	15.14	2.30	2.56	0.40	0.40
Jun-19	31.30	21.41	21.41	21.41	2.30	2.70	0.87	0.87
Total	94.95	57.17	57.17	57.17	2.30	2.48	1.07	1.07

Table-19
Jindal Power Limited- Bid-1

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	123.12	116.51	116.51	116.51	1.29	1.29	0.00	0.00
May-19	127.22	125.66	125.66	125.66	1.29	1.27	-0.25	-0.25
Jun-19	123.12	122.81	122.81	122.81	1.29	1.31	0.25	0.25
Total	373.46	364.98	364.98	364.98	1.29	1.29	-0.01	-0.01

Table-20
Jhabua Power Limited- Bid-1

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	70.79	60.02	60.02	60.02	1.91	1.95	0.24	0.24
May-19	73.15	64.10	64.10	64.10	1.91	1.95	0.26	0.26
Jun-19	70.79	65.77	65.77	65.77	1.91	1.95	0.26	0.26
Total	214.73	189.89	189.89	189.89	1.91	1.95	0.76	0.76

Table-21
BALCO- Bid-2

Month	Quantum (MU)				Rate (Rs/ kWh)		Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Approved	Actual	Actual	Approved for recovery as 'FS'
(1)	(2)	(3)	(4)	(5)= Lesser of (2) & (3)	(6)	(7)	(8)	(9)= (5)x((7)-(6))
Apr-19	61.56	61.30	61.30	61.30	1.19	1.15	-0.25	-0.25
May-19	63.61	69.47	63.61	63.61	1.19	1.15	-0.28	-0.25
Jun-19	61.56	67.95	61.56	61.56	1.19	1.15	-0.27	-0.25
Total	186.73	198.72	186.47	186.47	1.19	1.15	-0.79	-0.75

29. The summary of the fuel surcharge claimed by KSEB Ltd and the same admissible as per the Tariff Regulations 2018 is given below.

Table-22
Additional liability claimed by KSEB Ltd and admissible as per Tariff Regulation's 2018

Sources	Quantum (MU)				Addl liability as FS (Rs.Cr)	
	Approved	Actual	Claimed by KSEB L for 'FS'	Eligible for 'FS' as per Regulation	Claimed by KSEB Ltd	Approved for recovery as 'FS'
Talcher-II	878.94	771.61	771.61	771.61	17.51	17.51
Ramagundam I&II	444.07	484.24	436.43	436.43	4.85	4.85
Ramagundam-III	125.55	127.03	122.08	122.08	1.31	1.31
NLC TPS-II Stage-1	90.30	121.31	90.30	90.30	-0.01	0.00
NLC TPS-II Stage-2	141.17	145.59	137.53	137.53	-0.02	0.00
NLC-1 Expansion	116.33	115.89	105.99	105.99	-0.14	-0.10
NLC-II Expansion	75.14	64.66	64.66	64.66	0.27	0.27
Simhadri	132.92	185.37	132.92	132.92	4.82	4.82
Vallur STPS	83.35	95.79	82.23	82.23	6.31	6.30
NTPL	113.21	76.53	71.37	71.37	1.87	1.84
NTPC Kudugi	200.93	108.06	108.06	108.06	-0.14	-0.45
Maithon-1	301.24	267.44	267.44	267.44	9.65	8.31
Maithon-2	301.24	267.44	267.44	267.44	9.65	8.31
DVC-Mejia	192.44	186.34	183.23	183.55	9.22	8.21
DVC-Regunathpur	94.95	57.17	57.17	57.17	1.32	1.07
JPL- 200 MW - Bid1	373.46	364.98	364.98	364.98	-0.01	-0.01
Jhabua - 115 MW- Bid1	214.73	189.89	189.89	189.89	0.76	0.76
BALCO - Bid2	186.73	198.72	186.47	186.47	-0.75	-0.75
JPL- 100 MW Bid-2	280.10	217.30	217.30	0.00	2.05	0.00
Jhabua-100 MW Bid-2	186.73	165.12	165.12	0.00	2.31	
Jindal Thermal -Bid-2	186.73	175.10	175.10	0.00	1.92	
Total	4066.70	3828.06	3639.80	3640.12	72.75	62.26

As detailed above, as per the provisions of the Tariff Regulations 2018, KSEB Ltd is eligible to recover Rs 62.26 crore as fuel surcharge during the first quarter of the FY 2019-20 i.e., from April-2019 to June 2019, due to variation in fuel cost for purchase of power from the approved sources.

30. The Commission has also examined the over all generation and power purchase from various sources during the first quarter of the FY 2019-20, and the details are given below.

Table-23
Summary of the generation and power purchase from April-2019 to June 2019

Source	Approved (MU)	Actual (MU)	Difference (MU)
KSEB Hydro	1953.94	1685.97	-267.97
KSEB Thermal	0.00	10.08	10.08
CGS (KSEB)	2977.89	2618.20	-359.69
Long term Contracts	2318.41	2063.83	-254.58
RE (IPP)	226.89	69.78	-157.11
Power Exchange		451.32	
DSM		113.13	
SWAP		100.88	100.88
Sale outside	-613.30		613.30
SWA return		-39.74	-39.74
Total	6863.83	7073.45	209.62

It is seen that there was reduction in internal hydel generation as well as the energy scheduled from CGS and IPPs. As directed by the Commission, KSEB vide the letter dated 31.12.2019 has explained in detail the reasons for the reduction in internal generation and also the reduction in schedule of power from CGS and long term contracts.

31. The Commission has also examined the overall cost of power purchase approved for the first quarter of the FY 2019-20 and also the actuals as per the provisional figures made available by KSEB Ltd. The details are given below.

Table-24
Cost of power purchase approved and the actual(provisional) for the first quarter of the FY 2019-20 (April-2019 to June 2019)

Particulars	Approved			Actual		
	Quantity	Rate	Amount	Quantity	Rate	Amount
	(MU)	(Rs/kWh)	(Rs. Cr)	(MU)	(Rs/kWh)	(Rs. Cr)
CGS at KSEB periphery	2977.89	4.06	1209.02	2618.20	4.09	1069.94
IPP at KSEB periphery	2318.41	4.21	976.05	2063.83	4.45	917.86
Small IPP	226.89	3.10	70.34	69.78	3.77	26.28
IEX				451.32	3.71	167.49
DSM				113.13	2.72	30.77
SWAP				100.88		
Surplus sale	-613.30	5.00	-306.65	0.00		
Swap return				-39.74		
Total	4909.89	3.969	1948.76	5377.4	4.11	2212.34

As detailed above, as per the provisional figures, the actual overall cost of power purchase incurred by the KSEB Ltd is about Rs 2212.34 crore as against the approval of Rs 1948.76 crore.

32. The Commission decided to allow the licensee to recover the approved fuel surcharge amounting to Rs 62.26 crore, from the consumers over a period of three months (90 days) from 16.01.2020, at the rate estimated below.

Table-25
Rate of fuel surcharge recovery

Total consumption during the first quarter (Apr'19 to June'19)	(MU)	7073.45
T&D loss approved for 2019-20	(%)	12.42%
Energy sale estimated for the first quarter	(MU)	6194.93
Fuel surcharge approved	(Rs.Cr)	62.26
Rate of fuel surcharge for recovering the surcharge within three months	(Rs/unit)	0.10
(Rounded off to 10 paise/kWh)		

33. The approved amount of fuel surcharge for the first quarter amounting to Rs 62.26 crore shall be recovered from the consumers @10 paise per unit from 16.01.2020, for a period of three months (90 days) or till the approved amount is recovered fully, whichever is earlier. The fuel surcharge is applicable to all consumers including the consumers of all licensees, except the 'domestic consumers with connected load of and below 500 watt and monthly consumption of and below 20 units'. Further, the fuel surcharge shall be collected in addition to the normal electricity charges as per the tariff schedule in force.

Orders of the Commission

34. Based on the petitions filed by KSEB Ltd, the objections raised by the stake holders, the additional details submitted by the petitioner, and also duly considering the provisions of the Electricity Act, 2003 and the Tariff Regulations 2018, the Commission hereby orders the following.
- (1) The amount admissible for recovery as fuel surcharge for the first quarter of financial year 2019-20 (April 2019 to June 2019) is approved at Rs 62.26 crore.
 - (2) The fuel surcharge is allowed to be recovered from the consumers at the rate of Rs 0.10/unit, over a period of three months (90days) for the consumption from 15.02.2020, or until the approved amount of Rs 62.26 crore is fully realized, whichever is earlier.
 - (3) The fuel surcharge is applicable to all consumers including the consumers of KSEB Ltd and all other licensees except the 'domestic consumers with connected load of and below 500 watt and monthly consumption of and below 20 units'.
 - (4) Distribution licensees other than KSEB Ltd shall collect the fuel surcharge as per this order and remit the amount promptly to KSEB Ltd on a monthly basis.

- (5) KSEB Ltd shall provide the details of the fuel surcharge collected in each month to the Commission, within 10 days from the end of the month concerned.
- (6) KSEB Ltd and all other licensees shall indicate the rate of fuel surcharge and the amount of surcharge in the bills issued to consumers separately.
- (7) KSEB Ltd and other licensees shall account the fuel surcharge collected from each category of consumers separately.
- (8) KSEB Ltd and other licensees shall strictly adhere to the Section 65 of the Electricity Act-2003 while providing any subsidy or exemption to the consumers.

The petition is disposed off. Ordered accordingly.

Sd/-
S.Venugopal
Member

Sd/-
Preman Dinaraj
Chairman

Approved for issue

C R Satheesh Chandran,
Administrative Officer,
(in charge of the Secretary)

List of stakeholders participated in the public hearing held on 27.11.2019

1. Sri. Dijo Kappan, Kottayam
2. Sri. Babu Cheruvathil, Kottayam
3. Sri. K.G.P Namboothiri, Executive Engineer, KSEBL
4. Smt. Seema P Nair, Assistant Executive Engineer, KSEBL
5. Sri. Vineeth Krishnan. V.R, Assistant, KSEBL
6. Sri. Pradeep M, HT & EHT Association
7. Sri. Prabhakaran, HT & EHT Association
8. Sri. Rajesh Kuruvilla, Carboradum Universal
9. Sri. Renjith Jacob, Apollo Tyres
10. Sri. Ratheesh Kumar, EICL Ltd
11. Sri. A.Gopakumar, Organising Secretary (Federation of Residence Association, Kerala) (FERKA), Vanchiyoor
12. Sri. Panagottukonam Vijayan, Convener, District Committee, FERKA, Powdikonam
13. Sri. Arun C Aby, PTC India Ltd
14. Sri. C. Sunil Kumar, PTC India Ltd