

Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2008

TAMILNADU

India

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Rule

CENTRAL-ELECTRICITY-REGULATORY-COMMISSION-PAYMENT-OF- of 2008

- Published on 17 October 2008
- Commenced on 17 October 2008
- [This is the version of this document from 17 October 2008.]
- [Note: The original publication document is not available and this content could not be verified.]

Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2008Published vide Notification No. L-7/142/157/2008-CERC, dated 17-10-2008, As amended by Notification No. L-7/142/157/2008-CERC, dated 15-9-2010, w.e.f. 17-9-2010In exercise of powers conferred under section 178 of the Electricity Act, 2003 and of all other powers enabling it in this behalf, and after previous publication, the Central Electricity Regulatory Commission (hereinafter referred as "the Commission") hereby makes the following regulations, namely:-

1. Short title and commencement.

(1)These regulations may be called the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2008.(2)These regulations shall [come into force from the date] [Enforceable w.e.f 27-10-2008.] of their publication in the official gazette.

2. Fee for application for determination of tariff.

(1)An application for determination of tariff of a generating station or a unit thereof, shall be accompanied by a fee payable at the rate of Rs. 2,000/MW/annum corresponding to the installed capacity of such generating station or unit for each year, for which tariff is to be determined: Provided that the generating company may pay the fee at the rate of Rs. 2,000/MW/annum, corresponding to the installed capacity of the generating station or a unit thereof, while making the application for determination of tariff for the first year and the balance fee may be paid in yearly installments at the rate of Rs. 2,000/MW/annum, by 30th April of each year:[Provided Further that

where the tariff in respect of the generating station has been determined on the date of operation of these regulations, the fee for the petitions for additional capitalization shall be paid in accordance with clause (3) of Regulation 3 of these regulations.] [Inserted by Notification No. L-7/142/157/2008-CERC, dated 15-9-2010, w.e.f. 17-9-2010.](2)[An application for determination of tariff for inter-State transmission system or an element thereof shall be accompanied by a fee payable at the rate of 0.05% of the total annual transmission charges per annum claimed in the application, rounded off to the nearest one hundred rupees and subject to a minimum of Rs. 40,000 (Rs. Forty Thousand only):Provided that the transmission licensee may while making the application for determination of tariff pay fee at the rate of 0.05% of the annual transmission charges claimed for the first year and the balance fee may be paid in yearly instalments, at the rate of 0.05% of the transmission charges claimed, by 30th April of each year:Provided Further that the fee paid as aforesaid shall be finally adjusted with actual tariff determined by the Commission for each year.] [Substituted by Notification No. L-7/142/157/2008-CERC, dated 14-7-2009, w.e.f. 24-7-2009.]

3. Fee for application for purposes other than determination of tariff.

(1)An application for adoption of tariff determined through the transparent process of bidding under section 63 of the Electricity Act, 2003 in accordance with the guidelines issued by the Central Government shall be accompanied by fee of Rs. 5 lakh.(2)An application for grant of licence for inter-State transmission of, a inter-State trading in, electricity shall be accompanied by such fee as may be prescribed by the Central Government from time to time.(3)[An application which is not an application for determination or adoption of tariff or an application for grant of licence for inter-State transmission of, or inter-State trading in electricity, or an interlocutory application or an application for inspection or obtaining certified copies of judicial records, but, including an application for approval of provisional tariff shall be accompanied by a fee of Rs. 40,000 (Rs. Forty thousand only) and on admission of such application by the Commission, a further fee of Rs. 1,60,000 (Rs. one lakh and sixty thousand only) shall be paid within two weeks of communication of order of admission of the application.] [Substituted by Notification No. L-7/142/157/2008-CERC, dated 14-7-2009, w.e.f. 24-7-2009.](4)An application for any purpose other than those specified in clauses (1) to (3) (both inclusive) shall be accompanied by fee specified hereunder, namely:-

(a)Interlocutory application	Rs. 40,000/-
(b)Application for inspection of judicial records per day, not exceeding three hours	Rs. 500/-
(c)Application for obtaining certified copy of the each page documents forming part of judicial records	Rs. 10/-
(5)No fee shall be payable for an application made by the National Load Despatch Centre or the Regional Load Despatch Centre.	

4. Licence Fee.

- [(1) The transmission licensee for inter-State transmission, including a person deemed to be a transmission licensee referred to under any of the provisos to Sec. 14 of the Electricity Act, 2003

shall pay licence fee at the rate of 0.05% per annum of the annual transmission charges applicable for that year rounded off to the nearest one hundred rupees.] [Substituted by Notification No. L-7/142/157/2008-CERC, dated 4-6-2010, w.e.f 7-6-2010.](2)The transmission licensee granted a licence for the inter-State transmission of electricity shall pay licence fee at the rate of Rs. two lakh (Rs. 2,00,000/-) per annum from the date of grant of licence and up to the date preceding the date of commercial operation of the inter-State transmission system or an element thereof.(3)[An electricity trader granted licence for inter-State trading in electricity shall pay fee at the rates specified hereunder:-

Sr. No. Category of licence Fee per annum (Rs. in lakh)

1.	Category-I	30.00
2.	Category-II	12.50
3.	Category-III	5.00
4.	Category-IV	2.50

Note : Category I corresponds to Category 'F' (if trading above 1500 (MUs), Category II corresponds to Categories 'D', 'E' and 'T' (if trading upto 1500 MUs), and Category III corresponds to Category 'B' and 'C' and Category IV corresponds to Category 'A' of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Trading Licence and other related matters) Regulations, 2004 as amended from time to time.](4)Fee specified in this regulation shall be paid within thirty days of the date of grant of licence and thereafter annually by 30th April of each year.

5. Fee payable for part of year.

- For a part of the year, fee shall be payable pro rata to the number of days during the year and shall be rounded off to the nearest hundred rupees.

6. [Late payment surcharge. [Substituted by Notification No. L-7/142/157/2008-CERC, dated 14-7-2009, w.e.f. 24-7-2009.]

- Without prejudice to any other action that may be considered appropriate for non-compliance of these regulations, late payment surcharge at the rate of one per centum (1%) rounded to the nearest one hundred rupees, shall be paid on the outstanding amount for each month or part thereof for the period fee remains unpaid shall be paid.

7. Mode of payment.

- All fees, including late payment surcharge shall be payable through a demand draft/pay order in favour of Assistant Secretary, Central Electricity Regulatory Commission, at New Delhi or by electronic transfer of money to the Commissioner's account:Provided that when payment is made through electronic transfer, necessary evidence of such payment shall be furnished.] [Substituted by Notification No. L-7/142/157/2008-CERC, dated 4-6-2010, w.e.f 7-6-2010.]

8. Accounting of fee.

- Application filing fee received shall be entered into a register to be maintained by the Commission for the purpose in the format given in the Form-I appended to these regulations and the licence fee received shall be entered into a register to be maintained for the purpose in the format given in the Form-II separately for transmission licensee and the licensee for inter-State trading in electricity.

9. Power to relax.

- The Commission may in appropriate cases and for reasons to be recorded in writing relax any of the provisions of these regulations.

10. Repeal and Saving.

(1) Save as otherwise provided in these regulations, the Central Electricity Regulatory Commission (Payment of Fee) Regulations, 2004 shall stand repealed from the date of commencement of these regulations. (2) Notwithstanding such repeal, anything done or purported to have been done under the repealed regulations shall be deemed to have been done or purported to have been done under these regulations.

SI. No.	Petition/ Application No.	Name of the party remitting fee	Amount	No. and date of DD/Pay Order	Name of the Bank/Branch	Balance fee payable, if any	Surcharge payable, if any	Name and initials of the official receiving DD/Pay Order
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Name and initials of the official to whom DD/Pay Order has been passed
Payment of balance fee

Name of the party remitting balance fee	Amount	No. and date of DD/Pay Order	Name of the Bank/Branch	Whether the payment completely settles the balance fee	Name and initials of the official receiving DD/Pay Order	Name and initials of the official to whom DD/Pay Order has been
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(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Payment of surcharge	Remarks					passed	
Name of the party remitting surcharge	Amount	No. and date of DD/Pay Order	Name of the Bank/Branch	Whether the payment completely settles thesurcharge	Name and initials of the official receiving DD/Pay Order	Name and initials of the official to whom DD/Pay Order has been passed	
(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)

Form-II

SI.	Name of the party remitting fee	Purpose of remittance	Amount	No. and date of DD/Pay Order	Name of the Bank/Branch	Balance fee payable if any	Surcharge payable, if any	Name and initials of the clerk receiving DD/PayOrder
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Name and
initials of the
official to
whom DD/Pay
Order has
been passed
Payment of
balance

Name of the partyremitting balance fee	Amount	No. and date ofDD/Pay Order	Name of the Bank/Branch	Whether the paymentcompletely settles the balance	Name and initials of the clerk receiving DD/Pay Order	Name and initials of the official to whom DD/Pay Order has been passed	
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

Payment of
surcharge
Remarks
Amount

Name of the party remitting surcharge		No. and date of DD/Pay Order	Name of the Bank/Branch	Whether the payment completely settles the surcharge	Name and initials of the clerk receiving DD/PayOrder	Name and initials of the official to whom DD/PayOrder has been passed	
(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)