

The Delhi Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch centre) Regulations, 2007

DELHI

India

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Rule

THE-DELHI-ELECTRICITY-REGULATORY-COMMISSION-LEVY-AND-C of 2007

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The Delhi Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch centre) Regulations, 2007Published vide Notification No. F.8(24)/DERC/2005-06, dated 18th October, 2007, published in the Delhi Gazette, Extra, Pt. IV, dated 18th October, 2007In exercise of the powers conferred by section 181(2)(g) read with section 32 (3) of the Electricity Act, 2003 and the Electricity (Removal of Difficulty) Sixth Order 2005, the Delhi Electricity Regulatory Commission hereby makes the following Regulations for levy and collection of fee and charges by SLDC in the National Capital Territory of Delhi.

Chapter I

1. Short Title, extent and commencement.

- (i) These Regulations may be called Delhi Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch Centre) Regulations, 2007. These Regulations shall extend to the whole of National Capital Territory of Delhi (NCTD).(ii)These Regulations shall apply to the beneficiaries using the Intra-State transmission system and the Transmission Licensees and Generating Stations, being monitored by the SLDC.(iii)These Regulations shall come into force from the date of their publication in the Official gazette.

Chapter II

2. Definitions.

(1) In these Regulations, unless the context otherwise requires (i) "Act" means The Electricity Act, 2003 (36 of 2003); (ii) "Beneficiaries" in relation to SLDC Charges mean the Licensees other than the Transmission Licensees, and Long Term Open Access Customers; (iii) "Billing month" means the calendar month ending with the last day of the month; (iv) "Commission" means the Delhi Electricity Regulatory Commission; (v) "Financial Year" means the period commencing on the 1st day of April of a calendar year, and ending on the 31st day of March of the subsequent calendar year; (vi) "Long Term Open Access Customers" means the persons availing or intending to avail of the open access to Intra-State transmission system for a period of more than five (5) years; (vii) "State Government" means the Government of National Capital Territory of Delhi; (viii) "State Load Despatch Centre" or "SLDC" means the Centre established by the State Government for the purposes of exercising the powers and discharging the functions under Section 31 of the Act; (ix) "SLDC Charges" means the charges to be paid by the Beneficiaries to the SLDC as approved by the Commission under these Regulations; (2) The words and expressions used in these Regulations and not defined but defined in the Act shall have the meanings respectively assigned to them in that Act. (3) All proceedings under these Regulations shall be governed by the Delhi Electricity Regulatory Commission Comprehensive (Conduct of Business) Regulations, 2001, as amended from time to time.

Chapter III

Levy Of Fee And Charges By SLDC

3. Application for Registration with SLDC.

(1) Each of the existing Generating Stations, Transmission Licensees and Beneficiaries, which come under the purview of SLDC, shall register themselves with the SLDC, within a month of coming into force of these Regulations, by filing an application, as per Annexure 15, to the SLDC along with the fee of Rs 10,000 (Rupees Ten Thousand only) or such fees as may be decided by the Commission from time to time. (2) The new Generating Stations as well as the Transmission Licensees and Beneficiaries coming under the purview of SLDC, shall submit an application, as per Annexure 15, to the SLDC, at least one month before the proposed date of connection to the Intra-State transmission system, along with the above-mentioned Fee. (3) After being satisfied with the completeness and correctness of the information furnished in the application, the SLDC, shall register the application in its records and duly intimate the applicant regarding such registration. (4) The SLDC shall maintain consolidated information about the Utilities/Licensees/Beneficiaries connected to the Intra-State transmission system and being monitored/serviced by it, on a separate web-page on their web-site.

4. Levy of SLDC Charges.

(1) All expenses incurred by the SLDC, established by the State Government under Section 31 of the Act, shall be accounted for separately; Provided that if on the date of publication of these Regulations, the State Transmission Utility (STU) is operating the State Load Despatch Centre and performing the functions under the Act, as provided under sub-clause (2) of Section 31 of the Act, the STU shall maintain separate accounts for expenses related to operation of the State Load Despatch Centre; Provided further that till such time the accounts are not segregated, the STU shall apportion its costs on the basis of an Allocation Statement to be submitted to the Commission with all relevant details. (2) For the discharge of its functions as specified in Section 32 of the Act, the annual expenses incurred by the SLDC shall be recovered from the Beneficiaries using the Intra-State transmission system. (3) The annual charges to be recovered by the SLDC shall include the component of Return on Equity/Investments and also the following expenses: (a) Employee Cost; (b) Administrative and General Expenses; (c) Repairs and Maintenance Expenses; (d) Depreciation; (e) Advance against Depreciation; (f) Interest and Finance charges; (g) Interest on working capital, if any; (h) Any other expenses incidental to discharging the functions of SLDC as deemed appropriate by the Commission.

Chapter IV

5. Filings by the SLDC.

(1) The SLDC shall provide to the Commission, full details of its calculations of the estimated budget for the ensuing Financial Year, not later than four months before the commencement of the said Financial Year. (2) The SLDC shall also file the proposed allocation of charges to the Beneficiaries in line with these Regulations. A Copy of the budget along with the proposal for allocation of charges shall also be furnished simultaneously to the concerned Beneficiaries. (3) The SLDC shall provide the details of calculation of the expenses and other related information in the formats as laid down in the Annexures 2 to 14 of these Regulations. (4) The SLDC shall also furnish the details of capital investment plan for the ensuing year along with the budget filing. For capital investment schemes costing above Rupees One Crore, approval of the Commission shall be obtained in respect of each of such schemes prior to commencement of works. (5) The budget and other details filed by the SLDC shall be scrutinised and as a result of such scrutiny, the Commission may call for such further information and clarification as may be required. (6) The Commission may get the books/records of SLDC examined by its officers and/or by any authorised person at any point of time during the pendency of the application for approval of SLDC charges. The reports of the officers etc., may, if required, be made available to the parties concerned and they shall be given opportunity to reply/respond to the reports. (7) The Commission may call for a consultation meeting of authorized representatives of SLDC, the State Transmission Utility and Licensees for finalization of the budget of SLDC. (8) Based on the information furnished by SLDC and after due examination, scrutiny and consultation process, the Commission will approve the annual budget covering the expenses of the SLDC and determine the SLDC Charges. (9) The SLDC charges so determined by the Commission shall be valid till the approval of next revision of charges. (10) In the event of non-revision of SLDC

charges during any year, any variation (shortfall or excess) in recovery of SLDC charges, shall be carried forward to the next financial year and adjusted as may be decided by the Commission.(11)The SLDC shall submit periodic returns containing operational and cost data, as may be prescribed by the Commission.(12)All filings and application for determination of SLDC Charges shall be made in conformity with the stipulations made in these Regulations.

Chapter V

Billing & Collection Of Sldc Charges

6. Basis for collection of SLDC charges.

(1)The annual SLDC charges as determined by the Commission shall be allocated between the Beneficiaries using the intra-State transmission system as may be decided by the Commission from time to time;Provided that the charges shall be apportioned on the basis of contracted transmission capacity.(2)The Short-term open access customers using the intra-State transmission system shall pay such scheduling charges to the SLDC as may be specified by the Commission.

7. Billing of SLDC Charges.

(1)The SLDC shall furnish necessary monthly bills at the rate of one twelfth of the annual charges as approved by the Commission, to the Beneficiaries for each billing month within seven days after the last day of the preceding month;Provided that for the purpose of billing and collection of the prescribed charges, a fraction of a M W shall be treated as one full MW.(2)The Beneficiaries shall make payment to the SLDC of the amounts due within one month of the date of receipt of the bill.(3)In case the payment is not made within the due date, a penal interest/late payment surcharge at the rate of 1.25 % per month shall be payable on the unpaid amounts.(4)Disputes arising out of billing of SLDC charges shall be, as far as possible, settled by mutual negotiations. If the disputes are not resolved through mutual negotiations within sixty (60) days of the receipt of the bills, the matter shall be referred to the Commission through a petition by either of the parties. The decision of the Commission shall be final and binding on all the parties.(5)Pending resolution of the dispute, 90% of the bill amount shall be paid under protest within the due date.

Chapter VI

Miscellaneous

8. Savings.

(1)Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such Orders as may be necessary to meet the ends of justice or to prevent abuse of the process of the Commission.(2)Nothing in these Regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a

matter or a class of matters and for reasons to be recorded in writing, deems it necessary or just or expedient for dealing with such matter or class of matters.(3)Nothing in these Regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no Regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

9. Issue of Orders and Practice Directions.

(1)Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue Orders and Practice directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these Regulations to direct and matters incidental or ancillary thereto.(2)In case, no specific provisions have been made under these Regulations, the SLDC may be guided by the provisions of Delhi Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2007.

10. Power of Relaxation and Power to remove Difficulties.

(1)The Commission may, in public interest and for reasons to be recorded in writing, relax any of the provisions of these Regulations.(2)If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, of its own motion or otherwise by a general or a specific order, not inconsistent with these Regulations or the Act, do or undertake or direct the SLDC to do or undertake activities which in the opinion of the Commission, may appear to be necessary or expedient for the purpose of removing such difficulties.

11. Power to Amend.

(1)The Commission, for reasons to be recorded in writing, may at any time vary, alter or modify any of the provisions of these Regulations by amendment.
Annexure-1ANNUAL REVENUE REQUIREMENT OF SLDC FOR THE YEAR(Rs. in Lakhs)

Sl.No.	Particulars	Annexure No.	Previous Year (Actuals)	Current Year (Actuals for first six months and estimate for the balance period)	Ens (Est)
(1)	(2)	(3)	(4)	(5)	(6)

Employee
CostAdministrative &
GeneralChargesRepairs
and Maintenance
ExpensesDepreciationAdvance
against
DepreciationInterest &
Finance ChargesInterest
on Working CapitalOther
ExpensesPrior Period
Adjustments (+ / -)Total
Revenue
RequirementAdd:Return
onInvestments/CapitalLess
:Other Income
(feeetc.)Less :Interest &
otherExpenses
capitalisedNet Annual
Revenue Requirement

Annexure-2

ESTIMATED REVENUE FROM BENEFICIARIES FOR THEFINANCIAL YEAR.....

Sl.No.	Particulars	Contracted Transmission	Revenue Amount (Rs. In Lakhs)
Previous Year	Current Year (Actuals for firstsix months and estimate forthel balance period)	Ensuing Year (Estimates)	Remarks
1.2.3.4.---N	Name of Beneficiary 1Name of Beneficiary 2Name of Beneficiary 3Name of Beneficiary 4Name of BeneficiaryName of Beneficiary N		
TOTAL			

Annexure-3

DETAILS OF EMPLOYEES' COST

Sl. No.	Particulars	Previous Year (Actuals)	Current Year(Actuals	Estimate Ren for
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			for first six months and estimate for the balance period)	ensuing Year	
(1)	(2)	(3)	(4)	(5)	(6)
	SalariesOver Time/ Additional PayDearness AllowanceOther Allowances & ReliefBonus/Ex-gratiaInterim Relief/ Wage RevisionSub-Total (1 to 6)Medical ExpensesLeave Travel AllowanceEarned Leave EncashmentOther expenses towards EmployeeCost (Incentive etc.)Sub-Total (7 to 10)Staff Welfare ExpensesTerminal Benefits/ProvisionsPayment under WorkmansCompensation, Gratuity etc.Sub-Total (11 to 13)Grand TotalLess:Employee ExpensescapitalisedNet Employee Cost				
1.2.3.4.5.6.7.8.9.10.11.12.13.14.					

Annexure-4

ADDITIONAL INFORMATION ON EMPLOYEES' COST

Sl.No.	Category of Employees Salaries	Previous Year Nos. Sanctioned	Current Year Cost Working	Ensuring Year Nos. Rs. in Lakh	Cost Sanctioned
1	2	3	4	5	6
1.2.3.4.5.6.7.	Board of DirectorsG.M. & equivalentD.G.M & equivalentManager &				

equivalent Assistant
Manager & equivalent Jr.
Engineer & equivalent All
other Staff

Total

NOTE:-1. The number of employees
be given on a consistent year end
basis.

2. The cost columns should only
include remuneration for actual
number of employees working.

Annexure-5

ADMINISTRATIVE AND GENERAL EXPENSES (Rs. in Lakhs)

Sl.No.	Particulars	Previous Year (Actuals)	Current Year (Actuals for first six months and estimate for the balance period)	Estimate for ensuing Year	Remuneration
1	2	3	4	5	6
1.2.3.4.5.6.7.8.9.10.11.12.13.14.15.	Rents, Rates and Taxes Security / Service Charges paid to outside agencies Insurance Telephone Charges, Postages, Telegram, Telex and Fax charges V-Sat, Internet and related charges Legal Charges Audit Fees Consultancy Charges Technical Fee Other Professional Charges Travelling Expenses Conveyance and Vehicles Hire charges Sub-Total (1 to 12) Other Expenses (a) License / Registration Fees and Subscription (b)				

Books and Periodicals(c)
 Computer Stationery(d)
 Printing and
 Stationery(e)
 Advertisement
 Expenses(f)
 Contributions/Donations(g)
 Electricity Charges(h)
 Water Charges(i)
 Entertainment Charges(j)
 Miscellaneous
 ChargesSub-Total (a to j
)FreightOther purchases
 and relatedexpenses
 (with details)Grand Total
 (1 to 15)

Note :-In case the expenditure is more than Rs. ONECrore in respect of each of the above items, full details ofsuch expenses shall be furnished separately.

Annexure-6

REPAIRS AND MAINTENANCE
 CHARGES (Rs. inLakhs)

Sl.No.	Particulars	Previous Year	Current Year	Ensuing Year	Con
		Consumption of Stores	Other o&M Expenses	Total	
1.2.3.4.5.6.7.8.	Plant & MachineryBuildingsOther Civil WorksCable NetworkVehiclesFurniture & FixturesOffice EquipmentOthers				

Total

Annexure-7DEPRECIATION (Rs. in Lakhs)

S.No.	Description of Assets	Previous year	Current year	Ensuing year	Addition
Opening Balance of Accumulated Depreciation at the	Additions during the year	Depreciation provided for the year	Withdrawal of Depreciation	Closing Balance of accumulated	
				Balance of Accumulated Depreciation	during the year

beginning of the year	Depreciation at the end of the year	at the beginning of the year
1. Land and Rights Building and Structures		
2. / Civil Works Plant		
3. & Machinery Cables		
4. & Network Communication equipment		
5. Air conditioning		
6. Plant Furniture		
7. & Fixtures Office		
8. Equipment Vehicles Assets		
9. taken over and pending final valuation		
10. Miscellaneous Equipment / Items		
11. TOTAL		

NOTE : The details of Fixed Assets forming part of the Gross Block is to be furnished with the respective original capitalised cost and year of capitalisation. All details with regard to capital cost, expenses and interest etc., capitalised/likely to be capitalised in respect of additions during the year are to be furnished with particulars of Capital investment of the respective years. Annexure-8 ADVANCE AGAINST DEPRECIATION (Rs. in Lakhs)

Sl. No.	Particulars	Previous Year (Actuals)	Current Year (Actuals for first six months and Estimate for the balance period)	Estimate for ensuing Year	Remarks
1.2.	Repayment of One-tenth (1/10th) of Loan(s) Repayment of Loan(s) as considered for working out Interest on Loan Minimum of 1 & 2 above Less : Depreciation during the year Advance Against Depreciation				

NOTE: Advance Against Depreciation shall be permitted only if the cumulative repayment up to a particular year exceeds the cumulative depreciation up to that year. Further the Advance Against Depreciation in a year shall be restricted to the extent of difference between the cumulative repayment and cumulative depreciation up to that year. Annexure-9 INTEREST AND FINANCE CHARGES (Rs. in Lakhs)

Sl. No.	Name of the Institution	Loan Amount Date of drawal of first instalment	Loan Tenure (years)	Rate of interest (%)	Balance Outstanding at the beginning of the year	Amount received during the year	Principal Amount repaid during the year	Balance Outstanding at the end of the year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.2.	Loan from Govt.Loan from others-Secureda)b)c)							
3.	Total Loans from others-Unsecureda)b)c)							
Total								
4.	Short term loans/Borrowing for working capitala)b)c)							
5.	Total Othersa)b)c)							
GRAND TOTAL								
:								

NOTE: The relevant Loan documents are to be furnished in support of above details. The Details in this format are to be furnished separately for Previous Year (Actuals), Current Year (Actual cum Estimates) and Estimate for the Ensuing Year.

Annexure-10

INTEREST ON
WORKING CAPITAL
(Rs. in Lakhs)

Sl. No.	Source of Borrowing / Name of the Institution	Amount borrowed during the year	Rate of interest	Period of borrowing	Amount of interest	Remarks
1.						
2.						
3.						
4.						
5.						
6.						

7.

8.

GRAND TOTAL

NOTE: The relevant documents are to be furnished in support of above details. The Details in this format are to be furnished separately for Previous Year (Actuals), Current Year (Actual cum Estimates) and Estimate for the Ensuing Year.

Annexure-11

OTHER EXPENSES

(Rs. in Lakhs)

Sl. No.	Particulars of Expenses	Previous Year	Current Year (Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
Total					

Annexure-12

**PRIOR PERIOD
ADJUSTMENTS (**
Rs. in Lakhs)

Sl. No.	Particulars Expenses	Previous Year	Current Year (Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
Total					

Annexure – 13

**RETURN ON
INVESTMENTS**
...(Rs. in Lakhs)

Sl. No.	Basis of Calculation of Return	Previous Year	Current Year (Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
1.					
2.					
3.					
4.					

5.

6.

7.

8.

Total

Annexure – 14

OTHER INCOME

(Rs. in Lakhs)

Sl. No.	Particulars	Previous Year	Current Year (Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
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1.

2.

3.

4.

5.

6.

7.

8.

Total

Annexure – 15

APPLICATION FOR

REGISTRATION

WITH THE SLDC

Sl. No.	Particulars
1.2.3.4.5.6.7.8.9.	Name of the Applicant Status of Applicant (i.e, Generating Station or Transmission Licensee or Beneficiary) Registered Address Phone

No./Fax/E-mail
IDCapacity :Installed
Capacity in MW in
caseof Generating
Station ;
ContractedTransmission
capacity in MW incase
of
Beneficiary;Proposed
date of connection
withthe State
GridDetails of
Inter-connection
point(enclose separate
sheet if
necessary)Details of
Transmission system
incase of Transmission
Licensee (enclose
separate sheet
ifnecessary)DD No. and
Date
towardsRegistration
Fee payable to
SLDCUndertaking :

We hereby undertake to abide by the instructions issued by the SLDC ensuring the integrated, efficient and economical operation of power system in the State. Signature of the Authorized Officer
Note: - The SLDC may prescribe and collect necessary technical details from the Generation Stations, Transmission Licensees and Beneficiaries.