BEFORE THE HONORABLE GUJARAT ELECTRICITY REGULATORY COMMISSION AT GANDHINAGAR

Case No. (1829/2019)

Filing No.

IN THE MATTER OF Petition under Section – 45, 46, 86 and other applicable provisions of the Electricity Act 2003 read with the Gujarat Electricity Regulatory Commission (Licensee's Power to Recover Expenditure incurred in providing supply and other Miscellaneous Charges) Regulations, 2005 for approval of levy of per KVA based charges from applicant toward expenditure to be incurred by Distribution Licensee for development of electrical network for providing power supply at 11 KV/22 KV voltage level to new HT connection/additional demand.

AND
IN THE MATTER OF

Gujarat Urja Vikas Nigam Limited
Sardar Patel Vidyut Bhavan
Race Course,
Vadodara – 390 007

PETITIONER

AND
IN THE MATTER OF

1. Madhya Gujarat Vij Company Ltd (MGVCL) Vadodara
2. Uttar Gujarat Vij Company Ltd (UGVCL) Mehsana
3. Paschim Gujarat Vij Company Ltd (PGVCL) Rajkot
4. Dakshin Gujarat Vij Company Ltd (DGVCL) Surat

CO-PETITIONERS

MOST RESPECTFULLY SHOWETH

PREAMBLE

1.0 The erstwhile Gujarat Electricity Board has been unbundled in seven functional entities under the Gujarat Electricity Industry Reorganization and Comprehensive Transfer Scheme, 2003 notified under the Gujarat Electricity Industry (Reorganization and Regulation) Act 2003. The activities of Generation, Transmission, Distribution, Bulk power purchase and supply undertaken by erstwhile Gujarat Electricity Board has been entrusted to separate seven functional entities. The generation activity is assigned to Gujarat State Electricity Corporation Ltd. (GSECL), the transmission activity is assigned to Gujarat Energy Transmission Corporation Ltd. (GETCO) and the distribution activity is assigned to four Distribution companies viz. Uttar Gujarat Vij Company Ltd. (UGVCL), Madhya Gujarat Vij Company Ltd. (MGVCL), Dakshin Gujarat Vij Company Ltd. (DGVCL) and Paschim Gujarat Vij Company Ltd. (PGVCL). Further, the function of bulk purchase and bulk sale of power along with co-ordination activities is assigned to Gujarat Urja Vikas Nigam Ltd. (GUVNL) as per the re-organization scheme.

2.0 It is humbly submitted that Section – 45 & 46 of the Electricity Act 2003 empower Distribution Licensees to recover expenditure from a person requiring supply of electricity in pursuant to Section -43, any expenses incurred in providing any electrical line or electrical plant used for the purpose of giving power supply.

3.0 It is submitted that in exercise of power conferred under Section – 181 read with Section – 45 & 46 of the Electricity Act 2003, Hon'ble Commission vide Notification No: 9 of 2005 notified the Gujarat Electricity Regulatory Commission (Licensee's Power to Recover Expenditure incurred in providing supply and other Miscellaneous Charges) Regulations, 2005 (hereinafter referred to as "the Regulation" or "the recovery of expenditure Regulations"). The copy of the Regulation is annexed herewith and marked as **ANNEXURE-A**.

4.0 It is submitted that in respect of Low Tension (LT) new electricity connection / load extension, the Regulation provides that Distribution Licensee may dispense with recovery of expenditure on per KW basis. Accordingly, State owned Distribution Licensees have already adopted per KW based estimate for new LT connection / load extension with effect from 1.1.2011 as per the terms and per KW charges approved by Hon'ble Commission from time to time.

5.0 In respect of new High Tension (HT) and Extra High Tension (EHT) connection / load extension, the applicable regulation for recovery of expenditure incurred by Distribution Licensees is Regulation – 5 of the recovery of expenditure Regulations. The Regulation – 5 read as under:

CHAPTER - V

5. PROVISION FOR HIGH TENSION / EXTRA HIGH TENSION SUPPLY

(i) In case of applications where there is a need to erect a new HT line or EHT line from the substation or extend the existing HT or EHT line or strengthening of existing HT or EHT line in order to extend supply to the applicants, the Distribution Licensee, on its own in case of HT, and in co-ordination with Transmission Licensee in case of EHT, shall prepare an estimate of the cost of aforementioned work including the cost of terminal and metering arrangements at the premises of the consumer, but not including the cost of meter. Such estimate shall be based on the latest cost data as published by the Distribution Licensee and/or Transmission Licensee.

(ii) In case of applications where there is a need to erect a new sub-station for extending supply to the applicant, the Distribution Licensee, on its own or in co-ordination with Transmission Licensee, shall prepare an estimate of the cost of the necessary works in the same way as indicated in sub-clause 4.2 (i) above. In cases of applications when the capacity of existing substation is required to be augmented, the differential cost of existing and new such electrical plant will form the basis of calculation of pro-rata charges. The estimate of the cost of such substation shall be based on the latest cost data as published by the Distribution Licensee and/or the Transmission Licensee.

6.0 It is submitted that in terms of the provisions of above regulations, State owned Distribution Licensees are recovering charges for new HT/EHT connection/load extension based on actual expenditure incurred as per the prevailing cost data.

SUBMISSION:

7.0 It is submitted that as per the above provisions of regulations, the amount of estimate for HT New Connection/Load Extension is governed by two major factors namely (a) Location of Power Supply to be catered with respect to existing feeder or substation and (b) Balance load catering capacity available in such existing nearby feeder/substation against the new/additional demand sought for. This has been resulting into major variations in the estimate amount to be recovered from HT/ applicant for new connection/additional load.

8.0 It is pertinent to state that the present provisions of the Regulations providing for recovery of charges on the basis of actual expenditure incurred towards new HT/EHT line/substations/ strengthening of line etc is resulting into wide variability and non-uniformity in the estimate charges owing to the above factors leading to consumer resentment / grievances.

9.0 As per the existing provisions for recovery of charges from HT/EHT applicants, it may happen that:

a) The applicant has applied for comparatively smaller power demand and at the same time, it is not feasible to cater such power demand from existing HT feeder either due to applicant's point of supply is too far from existing feeder / substation or due to non-availability of balance capacity in the existing nearby feeder. This necessitates to erect new feeder having more length to cater even such small demand resulting into disproportionate estimate amount to be paid by HT/ applicant.

b) In contrast, there could be another extreme situation wherein it is feasible to cater comparatively larger power demand from nearby existing feeder / electrical network by virtue of point of supply in near vicinity to the existing network having adequate spare capacity to cater the larger demand sought for. Under such scenario, large demand can be catered by erecting only a small length of Tertiary line from nearby network. This would lead to comparatively a small amount estimate to cater a large demand.

c) In another situation, a consumer has obtained a new connection or additional Power demand by paying huge cost of new feeder as first applicant. Since, new feeder/ network is erected at the cost borne by first applicant, the subsequent applicants can be catered on this feeder with nominal charges till full load capacity of feeder is achieved. After that, if the same consumer (first applicant) demands for additional load and there is no feasibility to cater from existing feeder, in that case the consumer (first applicant) will once again end up with payment of significantly higher charges toward network erection expenditure.

10.0 It is submitted that the major variation in estimate amount specifically when new feeder is to be erected at the cost of single / few applicants, has been creating (i) sense of injustice in the mind of such applicants and also leading to conflict amongst consumers and DISCOM's officials.

11.0 It is submitted that various consumer groups/applicants has been representing to various authorities including at Government of Gujarat level to rationalize and to bring uniformity in the charges to be recovered by Distribution Licensees from applicants for new HT connections / load extension.

12.0 In view of above, there is need to review the present norms for recovery of charges specifically for new HT connections/ load extension so as to avoid variability in the charges and to rationalize the same by adopting appropriate methodology / mechanism.

13.0 Under the circumstances, with an aim to bring standardization and simplicity in the charges and also to have uniform applicability of such charges across four DISCOMs, GUVNL as petitioner and Subsidiary Distribution Companies as Co-petitioners have preferred the present petition for seeking for approval of Hon'ble Commission for levy of per KVA based charges from applicant toward expenditure to be incurred by Distribution Licensee for development of electrical network for providing power supply at 11 KV/22 KV voltage level to new HT connection/additional demand.

APPROACH/METHODOLOGY FOR APPROVAL OF PER KVA BASED CHARGES

14.0 It is submitted that GUVNL and DISCOMs have analysed various approaches and alternatives to rationalize the present norms for recovery of estimate charges from applicant of new HT connection / additional load.

15.0 In order to overcome the issues with existing norms and to provide power supply in a time bound manner as a part of 'Ease of doing business' and at the same time to ensure simplicity, uniformity and acceptability in the estimate charges, it is felt appropriate to suggest for per KVA based estimate charges for new HT connection / load extension instead of present norms of recovery of charges on the basis of actual expenditure incurred by Distribution Licensee. It is pertinent to reiterate that per KW based estimate charges for LT connections are already implemented by DISCOMs w.e.f. 1.1.2011.

16.0 It is submitted that the per KVA based recovery of estimate charges for new HT connection / load extension shall have following merits:

- There shall be uniform estimate charges to be recovered from applicants for new HT connection / load extension
- Release of demand in a time bound manner as a part of "Ease of Doing Business", which will promote industrial development in the state
- It will be easy for prospective consumers to work out cost towards new connection
- Prompt issuance of estimate would be possible
- Release of connections would be faster as hierarchy of approval will be reduced.
- It will ensure simplicity as the estimate need not to be containthe details of works to be undertaken, no adjustment (Final Bill) shall be required. Hence work of preparing Final bill will be reduced.

17.0 Under the proposed methodology, the recovery of charges shall be on Rs per KVA basis from prospective applicants seeking new demand / load extension at HT level and proposed to be worked out as under:

- For determination of per KVA based charges, maximum allowable feeder length considering feeder capacity and permissible HTVR is worked out. Based on permissible feeder length, normative cost of 11 KV / 22 KV feeder is worked out taking into consideration the cost of all possible components of a feeder excluding cost towards Railway Crossing and High Way Crossing for which recovery shall be based on actual expenditure incurred for crossing work. The total normative cost of feeder with allowable feeder length divide by total permissible KVA load that can be catered from such feeder shall be the basis for recovery of per KVA charges irrespective of actual expenditure involved / incurred.

- For determining permissible feeder length, maximum permissible % HTVR is considered at -9% as per the GERC Standard of Performance Regulations. Maximum feeder capacity to be considered is 4000 KVA in case of 11KV feeder and 8000 KVA in case of 22KV feeder as per Supply Code Regulations. For working of normative feeder cost, all components of feeder including Support Pole / U/G cable, VCB, indoor and outdoor cable termination kit, feeder gentry with cross boundary protection, guarding, tapping, CTPT structure with CTPT and TVM etc are to be taken in to consideration.

- Considering % HT VR and maximum current capacity of given conductor, the length of the feeder to work out the feeder cost may be taken 5.5 km with 100 sq.mm Dog conductor in case of overhead line and 14.5 km with 240 sq.mm XLPE Cable in case of underground line.

- The normative feeder cost need to be worked out considering following technical feeder specifications:

    - In case of 11KV overhead line: 100 sqmm Dog conductor and 11 Mtr RSJ poles
    - In case of 11KV underground line: 240 sqmm XLPE Cable (with spare cable - provision of alternate source of supply)
    - In case of 22KV overhead line: 100 sqmm Dog conductor and 11 Mtr RSJ poles
    - In case of 22 KV underground line: 240 sqmm XLPE Cable (with spare cable - provision of alternate source of supply)
    - U/G cable laying is proposed by push-pull method using horizontal drilling machine, HDPE pipe with 110 mm, Nominal Diameter of 5.3 to 6 mm thickness as per IS:4984
    - Or for laying of underground cable by way of manual excavation, half round RCC hume pipe with 6" internal diameter and 1 mtr length or any better protection is suggested for each cable.
    - HT/HT, HT/LT crossings are proposed with 95 sqmm HT ABC

- With above specifications, the working of average normative feeder cost for 11 KV Overhead / Underground cable and 22 KV Overhead / Underground cable as per current cost data of respective DISCOM is annexed herewith and marked as **ANNEXURE- B (Colly.)**.

- Based on normative average feeder cost and load catering capacity of 4000 KVA, the per KVA cost is worked out and tabulated as under:

Voltage	Type	Normative feeder length (KM)	Per KVA Charges (Rs/KVA)
11/22 KV	O/H	5.5	2000
	U/G	14.5	12960

The DISCOMs have very limited 22KV network, therefore, to avoid complications in calculations and recovery of the cost, in case of 22KV power demand also, per KVA cost worked out for 11KV network will be recovered.

18.0 In terms of above, the per KVA charges works out to Rs. 2000 per KVA for providing power supply at 11 / 22 KV having overhead line network and Rs. 12960 per KVA for providing power supply at 11 / 22 KV having underground cable network.

19.0 It is proposed to approve above charges applicable from the date of the order of Hon'ble Commission and shall be remained effective up to the end of financial year. It is further submitted that as per the cost data which will be prevailing in all DISCOMs at the end of every financial year (i.e. March of respective year), per KVA charges shall be revised every year based on above methodology.

It is further to submit that the order shall be applicable to applicants to whom estimates are not issued on the date of the Order of Hon'ble Commission.

20.0 It is submitted that the per KVA based estimate charges as worked out as per above methodology shall be applicable with following terms and conditions:

(i) It will be applicable for HT load demand (up to 4000/8000 KVA only) at 11 KV / 22 KV network and not for EHT load demand.

(ii) Per KVA charge is in lieu of infrastructure to be developed by DISCOM only & shall be applicable for technically feasible cases only.

(iii) In addition to above mentioned Per KVA Charges, the GETCO Pro-rata Charges & line strengthening charges of GETCO will continue to be recovered as per prevailing norms.

(iv) The uniform Per KVA charges shall be applicable for all new demand at HT level (i.e. new connection as well as additional load).

(v) In certain cases, due to site constraints, hybrid network (i.e. some of the portion having OH line and certain portion with UG cable) may be required to lay. In such cases, it is proposed to recover the Per KVA cost on prorate basis. For example, if a new connection of 400 KVA is demanded and for that 700 mtr of OH line and 500 mtr of UG cable, total 1200 mtr line is required to lay. Then Per KVA charges shall be recovered as under.

a. KVA (for OH Line) = (400KVA/1200Mtr)*700Mtr = 233 KVA overhead fix charge

b. KVA (for UG cable) = (400KVA/1200Mtr)*500 Mtr= 167 KVA U/G fix charge

(vi) As severe RoW issues are faced in a field while erecting new lines, independent or express feeder will not be permitted less than and up to 2000 KVA power demand. However, in case, there is no any technical feasibility to release the supply from the existing network, such consumer/load may be released by laying a separate feeder with Discom ownership of the feeder. DISCOMs can release new connections/ addl. load of prospective / existing consumers on such feeders.

(vii) The cost data which will be prevailing in all the DISCOMs at the end of every financial year (i.e. March) will be taken into consideration and accordingly per KVA cost shall be revised for ensuing year.

(viii) when applicant demands for new connections/addition in load and if required to lay line length to release above connection is more than 5.5 km in case of overhead line and 14.5 km in case of underground line then actual expenditure is to be recovered over and above the fixed cost from the applicant for excess line length.

(ix) Railway crossing and Highway crossing cost will be recovered actually wherever applicable.

21.0 It is proposed to recover actual cost from the prospective consumer in the following conditions:

(i) If consumer request for dedicated feeder even though the proposed load can be catered from existing network/by upgrading existing network.

(ii) For customized request like shifting of metering point, conversion of existing overhead network by either AB cable or Underground cable.

(iii) Where separate infrastructural network developed under Critical Infrastructure Project, where Government's/Developer's contribution is involved, since specialized network with RCC Trench, special equipment such as Ring Main Unit (RMU), HTMC (with VCB/LBS with CTPT in one closed unit installation on plinth level) etc.

(iv) Towards way leave, deforestation, GIDC permission etc.

22.0 It is submitted that under the provisions of Section – 45, 46, 86 of the Electricity Act 2003 read with the Gujarat Electricity Regulatory Commission (Licensee's Power to Recover Expenditure incurred in providing supply and other Miscellaneous Charges) Regulations, 2005, Hon'ble Commission has jurisdiction and authority to entertain the present petition and approve levy of per KVA based charges from applicant toward expenditure to be incurred by Distribution Licensee for development of electrical network for providing power supply at 11 KV/22 KV voltage level to new HT connection/additional demand.

23.0 The Petitioners crave leave of Hon'ble Commission to add, alter, amend /modify the memo of the petition and make further submission as and when required.

PRAYER:

The Petitioner most respectfully submits and prays as under:

i. Hon'ble Commission may please to take on record the present petition.

ii. Hon'ble Commission may allow recovery of Per KVA based estimate charges for release of new HT connection / load extension.

iii. Hon'ble Commission may please to approve the methodology for determination of Per KVA based estimate charges for new HT connection / load extension, as contained at Para- 14 to 21 of the present petition.

iv. Hon'ble Commission may please to decide recovery of Per KVA rate of Rs. 2000 per KVA for release of new HT connection / load extension with 11 / 22 KV up to 5.5 Km overhead network and Rs. 12960 per KVA for release of new HT connection / load extension with 11 / 22 KV up to 14.5 Km underground network.

v. Hon'ble Commission may please allow to continue recovery of actual expenditure in case of (i) overhead network above 5.5 Km, (ii) Underground network above 14.5 Km, (iii) Railway Crossing and (iv) Highway crossing over and above the Per KVA rate.

vi. Hon'ble Commission may please to allow for revision in Per KVA based estimate charges every year based on current year standard cost data of DISCOMs prevailing in the month of March for its applicability for ensuing year.

GUJARAT URJA VIKAS NIGAM LIMITED
- PETITIONER

DECLARATION

Declaration that the subject matter of present Petition has not been raised by the Petitioner before any other competent forum and that no other competent forum is currently seized of the matter or has passed any order in relation thereto.

GUJARAT URJA VIKAS NIGAM LIMITED
PETITIONER

DATE :24.10.2019

PLACE: VADODARA

Regd. No.: 1114
Date: 24/10/2019

NOTARY BHAVESH C. VYAS AREA : DIST Vadodara REG. NO. 1176 2010 GOVT. OF GUJARAT (INDIA)

BEFORE THE HONORABLE GUJARAT ELECTRICITY REGULATORY COMMISSION AT GANDHINAGAR

Case No.

Filing No.

IN THE MATTER OF Petition under Section – 45, 46, 86 and other applicable provisions of the Electricity Act 2003 read with the Gujarat Electricity Regulatory Commission (Licensee's Power to Recover Expenditure incurred in providing supply and other Miscellaneous Charges) Regulations, 2005 for approval of levy of per KVA based charges from applicant toward expenditure to be incurred by Distribution Licensee for development of electrical network for providing power supply at 11 KV/22 KV voltage level to new HT connection/additional demand.

Gujarat Urja Vikas Nigam Limited

PETITIONER

AND

1. Madhya Gujarat Vij Company Ltd (MGVCL) Vadodara
2. Uttar Gujarat Vij Company Ltd (UGVCL) Mehsana
3. Paschim Gujarat Vij Company Ltd (PGVCL) Rajkot
4. Dakshin Gujarat Vij Company Ltd (DGVCL) Surat

CO-PETITIONERS

NOTARY NOTARY NOTARY NOTARY NOTARY NOTARY NOTARY NOTARY NOTARY NOTARIAL

AFFIDAVIT

I, Rameshbhai Patel son of Bhikhabhai Patel aged about 56 years resident of Vadodara do hereby solemnly affirm and state as under:

1. I am I/C Chief Engineer (Tech) working in Gujarat Urja Vikas Nigam Limited and am well conversant with the facts of the case and able to swear to the present Affidavit.
2. I, on behalf of the Petitioner, Gujarat Urja Vikas Nigam Limited have gone through the contents of the accompanying Petition and say that the contents stated therein are based on the records of the Petitioner maintained in the normal course of business.

VERIFICATION:

I, the Petitioner above named do hereby verify that the contents of my above Affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from.

Identified before me.

GUJARAT URJA VIKAS NIGAM LIMITED
PETITIONER

DATE: 24.10.2019
PLACE: VADODARA

NOTARY BHAVESH C. VYAS AREA : DIST. Vadodara REG. NO. 1176 2010 Commi. Exp. Dt. 08-02-2020 GOVT. OF GUJARAT (INDIA)

Solemnly Affirmed / Declared
Sworn Before me by Rameshbhai Patel
BHAVESH C.VYAS
NOTARY (Govt. of Gujarat)
24.10.19

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Annexure A

Extra No. 83

REGISTERED No. G/GNR/2

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EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-C

Statutory Rules and Orders (Other than those published in Part I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Court, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other Authorities under the Election Commission.

GUJARAT ELECTRICITY REGULATORY COMMISSION (GERC)

LICENSEE'S POWER TO RECOVER EXPENDITURE INCURRED IN PROVIDING SUPPLY AND OTHER MISCELLANEOUS CHARGES

Notification: No. 9 of 2005

In exercise of the powers conferred by section 181 read with section 45 and 46 of the Electricity Act 2003 (36 of 2003) and all powers enabling it in that behalf, the Gujarat Electricity Regulatory Commission hereby makes the following Regulations, namely:-

CHAPTER - I

1. SHORT TITLE, COMMENCEMENT AND INTERPRETATION

i. These Regulations may be called the Gujarat Electricity Regulatory Commission (Licensee's Power to Recover

Expenditure incurred in providing supply and other Miscellaneous Charges) Regulations, 2005.

ii. These Regulations shall be applicable to all Distribution Licensees in their respective licensed areas, in the State of Gujarat.

iii. These Regulations shall come into force on the date of their publication in the Gazette.

CHAPTER - II

2. DEFINITIONS

2.1 In these Regulations, unless the context otherwise requires:-

(i) "Act" means the Electricity Act, 2003 (36 of 2003).

(ii) "applicant" means the owner or occupier of any premises who makes an application to the distribution licensee for supply of electricity.

(iii) "Commission" means the Gujarat Electricity Regulatory Commission.

(iv) "Distribution Licensee" means a Licensee authorised to operate and maintain a Distribution System for supplying electricity to the Consumers in his Area of Supply.

(v) "distribution main" means the portion of any main with which a service line is, or intended to be, immediately connected.

(vi) "distribution system" means the system of wires and associated facilities between the delivery points on the transmission lines or the generating station connection and the point of connection to the installation of the consumers.

(vii) "electrical plant" means any plant, equipment, apparatus or appliance or any part thereof used for, or connected with, the generation, transmission, distribution or supply of electricity but does not include:

i. an electrical line ; or
ii. a meter used for ascertaining the quantity of electricity supplied to any premises; or
iii. an electrical equipment, apparatus or appliance under the control of a consumer.

(viii) "electric line" means any line which is used for carrying electricity for any purpose and includes:

i. any support for any such line, that is to say, any structure, tower, pole or other thing in, on, by or from which any such line is, or may be, supported, carried, or suspended; and
ii. any apparatus connected to any such line for the purpose of carrying electricity.

(ix) "Extra High Tension (EHT) supply" means electricity supplied at a Voltage equal to or greater than 66 kV.

(x) "Government" means the Central Government or the State Government as the case may be.

(xi) "High Tension (HT) supply" means electricity supplied at a Voltage greater than 440 V and lesser than 66 kV.

(xii) "Low Tension (LT) supply" means electricity supplied at a Voltage not exceeding 440 volts.

(xiii) "month" means the calendar month unless the context otherwise requires. A time lasting from a specified date in one calendar month until the same date in the next calendar month (a period of time equivalent to about 30 days).

(xiv) "service line" means any electric supply line through which electricity is, or is intended to be, supplied -

i. to a single consumer either from a distributing main or immediately from the Distribution Licensee's premises; or

ii. from a distributing main to a group of consumers on the same premises or on contiguous premises supplied from the same point of the distributing main.

(xv) "State Act" shall mean the Gujarat Electricity Industry (Reorganisation and Regulation) Act, 2003.

(xvi) "sub-station" means a station for transforming or converting electricity for the transmission or distribution thereof and includes transformers, converters, switchgears, capacitors, synchronous condensers, structures, cable and other appurtenant equipment and any buildings used for that purpose and the site thereof.

(xvii) "Temporary Service" means supply will be given initially for a period not exceeding one month subject to review for further extension in accordance with the classifications of installation for purpose of permanent supply.

Words and expressions used and not defined in these Regulations but defined in the Act or the State Act or the Rules framed thereunder shall have the meanings assigned to them in the said Act or the State Act or such Rules. Expressions used herein but not specifically defined in these Regulations or in the Act or the State Act or the Rules framed thereunder but defined under any law passed by a competent legislature and applicable to the electricity industry in the state shall have the meaning assigned to them in such law. Subject to the above, expressions used herein but not specifically defined in the Regulations or in the Act or the State Act or the Rules framed thereunder or in any other law passed by a competent legislature shall have the meaning as is generally assigned in the electricity industry. The Bombay General Clauses Act, 1904, shall apply for the purpose of the present Regulations.

INTERPRETATION:

2.2 In the interpretation of these Regulations, unless the context otherwise requires:

(a) words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular term, respectively.

(b) the terms "include" or "including" shall be deemed to be followed by "without limitation" or "but not limited to" regardless of whether such terms are followed by such phrases or words of like import.

(c) references herein to the "Regulation" shall be construed as a reference to these Regulations as amended or modified by the Commission from time to time in accordance with the applicable laws in force.

(d) the headings are inserted for convenience and may not be taken into account for the purpose of interpretation of these Regulations.

(e) references to the statutes, regulations or guidelines shall be construed as including all provisions consolidating, amending or replacing such statutes, regulations or guidelines, as the case may be, referred to.

CHAPTER - III

3 DUTY OF THE DISTRIBUTION LICENSEE TO SUPPLY ELECTRICITY ON REQUEST AND RECOVERY OF EXPENDITURE

(i) The Distribution Licensee shall, subject to the provisions contained in Section 43 of the Act, fulfill his obligation to supply electricity to the premises of consumers.

(iii) Subject to the provisions of the Act and these Regulations and subject to such directions, orders or guidelines as the Commission may issue from time to time, every Distribution Licensee is allowed to be recovered from an applicant, requiring supply of electricity, any expenses that the Distribution Licensee shall be required to reasonably incur to provide any electric line or electrical plant specifically for the purpose of giving such supply to the applicant.

(vi) The Licensee shall lay free of charge a service line (overhead line or underground cable depending upon the type of distribution system existing) up to a length of 30 meters from its nearest distributing main on public roads, outside the limits of the property in respect of which requisition for electricity supply is received.

(vii) The entire service line, notwithstanding that a portion thereof has been paid for by the Consumer, shall be the property of the Distribution Licensee and by whom it shall be maintained and the Distribution Licensee have a right to use it for the supply of energy to any other person by taping the service or otherwise except if such supply is detrimental to the supply to the consumer already connected therewith.

CHAPTER - IV

4. PROVISION FOR LOW TENSION SUPPLY

4.1 In case of applications for Low Tension supply, where such supply requires only laying the service line from the existing distributing main to the consumer's premises, the Distribution licensee shall estimate the cost of service line and the cost of terminal and metering arrangements at the premises of the consumer, but not including the cost of meter. The estimate of the cost of electric line, electrical plants and metering arrangements shall be based on the latest cost data as published by the Distribution Licensee.

In respect of above consumers the Distribution Licensee may dispense with the process of preparation of detailed individual estimate and instead charge on the basis of per KW of contracted load and per Meter rate. Although, it will not prepare individual estimate, the Distribution Licensee shall maintain the cost incurred in respect of such categories of the consumers who are provided with electricity only through extension of service line (with out undertaking any of the work like DTR or laying of HT line). The average cost incurred (according to the latest cost data as published by the Distribution Licensee) shall be used as the yard stick for determining the per kW cost of these categories of consumers.

4.2(i) In cases of applications where there is a need to erect new electrical plant such as distribution transformer (DTR) along with switch-gear etc., for extending supply to the applicant for Low Tension connection, the licensee shall estimate the cost of electrical plant as follows:

Cost of the works of erection of DTR including switchgear(in Rupees) = P

Rated capacity of DTR in KVA = Q

Cost per KVA (in Rupees) = P/Q

Contracted load in KVA of the applicant = K

Amount payable by applicant towards electrical plant (in Rupees)=

K*(P/Q)

In cases of applications when the capacity of existing electrical plant (such as DTR and switchgear etc.) is require to be augmented, the differential cost of existing and new such electrical plant will form the basis of calculation of pro-rata charges.

In all cases the estimate of the cost of electrical plant shall be based on the latest cost data as published by the Distribution licensee.

4.2(ii) In cases of applications which besides erection of electrical plant (such as DTR and switchgear etc.), need laying or extension of the HT line for providing supply to the applicant, the estimate of the cost of such section of HT line shall be made on a

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per kilometer basis based on the latest cost data as published by the Distribution Licensee.

The Distribution Licensee shall recover the cost, as mentioned in the sub-clause 4.2(i) and 4.2(ii), from all the applicants excluding following categories:

a. Agricultural consumers with the exception of Agricultural connection to be given under special schemes like "Tatkal Scheme" which may be brought out in future.

b. Water Works and Sewerage Pumps operated by/for any local authority other than Municipal Corporation.

c. Domestic consumers

d. Commercial consumers up to 100 KVA/125 HP of contract demand

CHAPTER - V

5. PROVISION FOR HIGH TENSION / EXTRA HIGH TENSION SUPPLY

(i) In case of applications where there is a need to erect a new HT line or EHT line from the sub station or extend the existing HT or EHT line or strengthening of existing HT or EHT line in order to extend supply to the applicants, the Distribution Licensee, on its own in case of HT, and in co-ordination with Transmission Licensee in case of EHT, shall prepare an estimate of the cost of aforementioned work including the cost of terminal and metering arrangements at the premises of the consumer, but not including the cost of meter. Such estimate shall be based on the latest cost data as published by the Distribution Licensee and/or Transmission Licensee.

(ii) In case of applications where there is a need to erect a new sub-station for extending supply to the applicant, the Distribution Licensee, on its own or in co-ordination with Transmission Licensee, shall prepare an estimate of the cost of the necessary works in the same way as indicated in sub-clause 4.2 (i) above. In cases of applications when the capacity of existing substation is required to be augmented, the differential cost of existing and new such electrical plant will form the basis of calculation of pro-rata charges. The estimate of the cost of such substation shall be based on the latest cost data as published by the Distribution Licensee and/or the Transmission Licensee.

CHAPTER - VI

6. STANDARD COST DATA

(i) The Distribution licensee and the Transmission Licensee shall prepare a cost data book covering broad specifications of various items and materials as well as man-hours of various categories of labour needed for providing any electric line or electrical plant used for the purpose of giving supply of electricity based on the actual cost data of the financial year immediately preceding the year in which the estimate is to be prepared.

(ii) The cost data book can include supervision charges at 15% of the total cost of materials and labour.

(iii) The cost data book shall specify the methodology of preparing the estimates.

(iv) The cost data book shall be the basis of making the initial estimate for laying of electric line and/or errection of electrical plant for extending supply to the applicant.

(v) The Distribution Licensee and the STU/Transmission Licensee shall publish such cost data book and make available its copies to the general public on demand at a reasonable charge.

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CHAPTER VII

7. MANNER OF ACCOUNTING AND ADJUSTMENTS

(i) Before taking up the laying of electric line, erection of electrical plant and creating any other facilities required for extending supply to the applicant seeking new connection, the licensee shall estimate the charges for the same. Free length up to 30 meters of service line will be provided in all cases.

(ii) Each applicant will be given such estimate. The applicant shall deposit the amount of estimate with the Distribution Licensee before the commencement of the work.

(iii) After the deposit has been duly made, the work shall be completed within the time-frame as mentioned in Standard of Performance of Licensee issued separately by the Commission.

(iv) The amount deposited by the Applicant shall be subsequently adjusted, on completion of the work on the basis of actual cost plus supervision charges at 15% of the total cost of the materials and labour.

(v) The Distribution licensee shall maintain records of all expenditure actually incurred by him in extending supply to the applicant and shall carry out the adjustments for recovery of excess expenditure or refunds of any savings in relation to the initial estimate. If the estimate is given on fixed cost basis as provided in second para of Clause 4.1, it will not be necessary to make the adjustment of the amount deposited by the applicant on completion of the work on the basis of actual cost.

(vi) The balance amount, if any, shall be refunded to the Consumer by way of adjustment in the electricity bill. The Consumer shall be given the detailed bill showing the details of item-wise estimation and actual expenditure along with item-wise figures of variance to the extent possible. Further, if Applicant seeks further information, the Distribution Licensee shall furnish the same or state the reasons for not furnishing the same within 10 days of receipt of such request.

(vii) Any expenditure incurred in excess of the amount deposited by the Applicant shall be paid by the Applicant within fifteen days of demand.

(viii) After the payment of deposit as aforesaid and before the completion of work, if the Applicant declines to take the supply, the deposit shall be refunded after deducting there-from, actual cost incurred plus 10% of amount of estimate or Rs.20,000/- in case of LT/HT and Rs.50,000/- in case of EHT applicants whichever is less.

However, if the Applicant withdraws before starting the work of laying of electric line, erection of electrical plant and creating any other facilities for extending supply to the applicant seeking new connection, total amount after deducting 5% of amount of estimate or Rs.5,000/- whichever is less, shall be refunded by the Licensee to the Applicant.

(ix) If the work is to be done by the developer or the applicant, Licensee shall charge 15% of the estimate as supervision charges to be deposited before work begins. In other cases, Licensee shall commence the work after the applicant has deposited the full amount of the estimate.

(x) If a Consumer desires to have the route of the existing Service Line altered, the Distribution Licensee shall carry out the work and charge the cost plus 15 per cent thereon (towards supervision charges) from the Consumer for additional materials and labour used.

(xi) Service lines for temporary supplies shall be laid by the Distribution Licensee wherever possible and the actual cost incurred in laying and removing such service lines after giving due credit for the materials received back; on the basis of the condition of the same and the labour employed plus 15 percent supervision charges on the cost of materials and labour employed shall be paid by the Consumer. No interest will be paid on deposits lodged against the cost of Service Line or bills for temporary Supply, as the account is of temporary nature.

(xii) The Consumer shall deposit the estimated cost for Service Lines for temporary supplies before commencement of work, which shall be adjusted against actual expenses incurred after the Service Line has been removed.

(xiii) Where any difference or dispute arises regarding the estimate of laying of electric line, erection of electrical plant and creating any other facilities for extending supply to the applicant, the matter shall be dealt with in the manner provided in the Standards of Performance read with the GERC Regulations for the Establishment of Forum for Redressal of Grievances of Consumers and the GERC Regulations for the Establishment of Ombudsman.

(xiv) The Distribution licensee shall account, under appropriate account heads, all charges recovered by him for laying of electric line and erection of electrical plant and creating any other facilities for extending supply to the applicant seeking new connection. The amount so recovered shall be deducted from the Gross Fixed Assets to arrive at the value of Net Fixed Assets of the Licensee's business.

(xv) The amount recovered from the applicant towards expenses incurred in providing electric line or electrical plant or other facilities for the purpose of giving the supply shall not constitute part of equity capital base of the Distribution Licensee for calculation of Returns from the business.

(xvi) No depreciation to the extent of the amount recovered from the applicant towards expenses incurred in providing electric line or electrical plant or other facilities for the purpose of giving the supply may be included in the tariff calculations.

(xvii) The accounting and auditing procedure should incorporate sufficient safeguard for avoidance of double counting or duplication of charges.

CHAPTER- VIII

8. MISCELLANEOUS CHARGES:

(i) Subject to the provisions of the Act and these Regulations and subject to such directions, orders or guidelines the Commission may issue from time to time, every Distribution Licensee is authorized to recover any expenses to be borne by the Distribution Licensee in rendering following services to new or existing consumers.

(ii) All the charges proposed below in **8.1** and **8.2** are payable in advance.

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8.1 PRE-SERVICE CONNECTION CHARGES

A. REGISTRATION CHARGES (NON REFUNDABLE) :

The following registration charges would apply to new service connection:

Sr. No.	Particulars	Charges
i	Single phase supply for Residential.	Rs.40.00
ii	Three phase supply for Residential.	Rs.100.00
iii	Single phase supply and Three phase supply for commercial	Rs.100.00
iv	Three phase supply for LT Agricultural	Rs.200.00
v	Three phase supply for LT Industrial	Rs.400.00
vi	HT and EHT supply (Applicable to demand applied for)	Rs.10 per KVA with a ceiling of Rs.25000.00
vii	All other Categories not enumerated above	Rs.100.00

Note: Above registration charges would also apply to temporary supplies

B. RE-ESTIMATE CHARGES:

Any revision in the estimate done at the instance of the consumer shall attract extra charges as under:

Sr. No.	Particulars	Charges
I	LT services	Rs. 20/-
ii	HT and EHT services	Rs. 200/-

C. TEST REPORT CHARGE FOR ALL CATEGORIES Rs. 20/-

D. TESTING OF INSTALLATIONS:

(i) The test and inspection prior to connection of an installation for permanent supply shall be carried out free of charge but should further test and inspection be found necessary, the charge for such test and/or inspection shall be **Rs. 50**

(ii) Charges for the initial inspection and subsequent test and connection of a temporary installation

Rs. 100

8.2 POST SERVICE CONNECTION CHARGES

A. REGISTRATION CHARGES (NON-REFUNDABLE)

The following registration charges would apply to addition/ reduction of load and also to cases where a consumer applies for shifting of the connection in the same premises.

Sr. No.	Particulars	Charges
i	Single phase supply for Residential.	Rs.40.00
ii	Three phase supply for Residential.	Rs.100.00
iii	Single phase supply and Three phase supply for commercial	Rs.100.00
iv	Three phase supply for LT Agricultural	Rs.200.00
v	Three phase supply for LT Industrial	Rs.400.00
vi	HT and EHT supply (Applicable to demand applied for)	Rs.10 per KVA with a ceiling of Rs. 25000.00
vii	All other Categories not enumerated above	Rs.100.00
viii	Reduction in demand of HT and EHT supply	Rs. 10 per KVA (Applicable to quantum of demand reduced) with a ceiling of Rs.2000

Note: Above registration charges would also apply to temporary supplies

B. REGISTRATION CHARGES FOR CHANGE OF NAME AND TRANSFER OF AGREEMENT:

The application for change of name of existing service and transfer of benefits of agreement executed by the consumer with the supplier for power supply shall be accompanied by non-refundable registration charges as specified below:

Sr. No.	Particulars	Charges
i	Single phase supply for Residential.	Rs.20.00
ii	Single phase supply for commercial and Three phase supply for Residential	Rs.100.00
iii	Three phase supply for LT Agricultural	Rs.300.00
iv	Three phase supply for LT Industrial and others	Rs.400.00
v	HT and EHT supply	Rs.2000.00

C. RECONNECTION / DISCONNECTION CHARGES

RECONNECTION CHARGES:

Sr No.	Particulars	Charges
i	Residential	Rs. 100.00
ii	Commercial	Rs. 200.00
iii	LT Agricultural	Rs. 200.00
iv	LT Industrial & others	Rs. 900.00
v	HT and EHT supply	Rs. 3200.00

Note:

If the staff of the supplier is unable to obtain access to the meter or service cut-outs for disconnecting, and the disconnection has to be made from the mains, either underground or overhead, the consumer shall have to pay all costs incidental to such disconnection and reconnection

DISCONNECTION AT CONSUMER REQUEST:

Sr. No.	Particulars	Charges
i	Residential	50.00
ii	Commercial	100.00
iii	LT Agricultural	100.00
iv	LT Industrial & others	500.00
v	HT and EHT supply	1500.00

D. METER CHARGES:

FOR PERMANENT SUPPLY:

Sr. No.	Particulars	Charges
1.	Hire of single-phase meter	Rs. 10/- per meter/ month.
2.	Hire of Three phase meter	Rs. 30/- per meter/ month
3.	Hire of demand meter or special type of meter for LT consumer	Rs. 225/- per meter/ month.
4.	Hire of time switch with or without KWH meter	Rs. 225/- per time switch /month.
5.	Hire of HT/EHT metering equipments	Rs. 750/- per meter/ month.

FOR TEMPORARY SUPPLY:

Sr. No	Particulars	Charges
1	Hire of single-phase meter	Rs. 15/- per meter/ month.
2	Hire of poly phase meter (3 phase)	Rs. 60/- per meter/ month
3	Hire of HT/EHT metering equipments	Rs.1500/- per meter/ month.

Note:

For the first month of service connection, the meter charge will be proportionate to the number of days in the month for which electricity is supplied. For the month in which the meter is removed on or after disconnection of a service and/or installed afresh on reconnection, the meter charge will be proportionate to the number of days in the month during which the meter remains on the premises of the consumer. Such proportionate charges will be rounded to the nearest 50 Ps.

E. OTHER CHARGES

Particulars	Charges
(a) Charges for attendance of fuseman where the failure of supply is due to a fault in the consumer's installation	1) For Low Tension consumers Rs. 10/- 2) For High Tension consumers Rs. 10/- for replacement of fuse on single phase. Rs. 15/- for replacement of fuse on two phases. Rs.20/- for replacement of fuse on three phases.
(b) Charges for attendance of fuseman at consumer's premises during any function: (per person per shift)	Rs. 500/-
(c) Charges for resealing of seals other than meter seals which have been disturbed unauthorizedly	Rs. 100/-
(d) Charges for resealing of meter seals, disturbed Unauthourizedly (i) In case of residential service (ii) In case of service other than residential	 Rs. 50/- Rs. 200/-
(e) Changing or moving a meter board	Actual cost plus 15%
(f) Testing meter(all type of meters), if it should be proved to be correct within the limits laid down by the Standards/Rules	

(i) Single phase meter	Rs.100/-
(ii) Three phase meter	Rs.300/-
(iii) Maximum Demand meter (LT)	Rs.500/-
(iv) Maximum Demand meter (HT/EHT)	Rs.1000/-
NOTE: The supplier shall not accept any responsibility whatsoever for the satisfactory and correct running of the consumer's meter after he has taken delivery thereof subsequent to the test.	
(g) Installing a meter for each other class of supply required after the initial connection of the installation for any other purpose or changing a meter for one of a different size when necessitated by a change in consumer's demand (the fee does not include the provision of a meter board) per meter	Rs. 100/-
(h) CT/PT Testing charges	
(i) CT Testing (LT)	Rs. 100/-
(ii) CT/PT unit (HT/EHT)	Rs. 500/-

F. CHARGES FOR MISCELLANEOUS WORK

The charges payable in advance for any work which the supplier may undertake for the consumer and which is not included in the foregoing schedule shall be at the actual cost of labour and materials plus 15% to cover overhead charges. Estimates will be submitted when necessary. The charges payable in advance for any work which the supplier may undertake on behalf of the consumer as an agency work, shall be the actual cost of labour and materials plus 15% to cover overhead charges. The estimates will be submitted accordingly.

9. POWER TO REMOVE DIFFICULTIES

(i) In case of any difficulty in giving effect to any of the provisions of these Regulations, the Commission may by general or special order, take or direct the licensee to take suitable action, not being inconsistent with the provisions of Electricity Act, 2003, which appears to the Commission to be necessary or expedient for the purpose of removing the difficulty.

(ii) The licensee may make an application to the Commission and seek suitable orders to remove any difficulties that may arise in implementation of these regulations.

10. ISSUE OF ORDERS AND GUIDELINES

Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may, from time to time, issue orders and guidelines with regard to the implementation of the regulations and procedures to be followed.

11. POWER TO AMEND:

The Commission may from time to time add, vary, alter, modify or amend any provisions of these regulations as and when need arises.

P. S. SHAH
SECRETARY

AHMEDABAD
31ST March 2005

Annexure-B

Annexure - B (1/2)

Estimate for 11KV line with 100 Sqmm, AAA "DOG" Conductor using 116mm X 100mm X 11mtr long RSJ pole (33 mtr. Span) as per prevailing cost data of respective Discoms

No.	Item	UOM	Quantity required for 6.0 km length of line	Cost in Rs.			
				DGVCL	MGVCL	PGVCL	UGVCL
				Total Cost	Total Cost	Total Cost	Total Cost
1	11KV Feeder VCB Panel complete in all respect at s/s end	No	1	318650	432678	332925	297000
2	3CX11KV, 240 sqmm, XLPE Alu. Cable including laying by digging the cable trench	mtr	200	240400	300200	391400	280200
3	Take up DP structure with Cross Boundary Protection using 116mm X 100mm X 11mtr long RSJ pole	No	1	66786	71191	82747	75549
4	11KV Indoor Cable Box suitable for 240 sq mm XLPE Cable	No	2	7000	8534	7180	11098
5	11KV Outdoor Cable Box suitable for 240 sq mm XLPE Cable	No	2	7000	8692	7930	13352
6	11KV line with 100 Sqmm, AAA "DOG" Conductor using 116mm X 100mm X 11mtr long RSJ pole (33 mtr. Span)	Km	5.5	5112135	5261333	4742491	5247226
7	11KV D. P. Structure with A. B. Switch using 11 MTR RSJ Poles.	No	2	133572	142382	165494	140030
8	11KV Shackle DP using 116mm X 100mm X 11mtr long RSJ pole	No	3	173802	213573	196062	161895
9	CTPT structure with CTPT and TVM considering avergae 10 connections per feeder	Set	8	1046128	916144	987704	1075408
10	Total cost of the feeder of 6 km	Rs.		7180657	7427423	7008291	7376942
11	Per KVA cost (Considering feeder capacity- 4000 KVA)	Rs./KVA		1795	1857	1752	1844
12	**Average cost**	**Rs./KVA**		**1812**			
	Addition of approx. 10% is added for cost escalation in case of overhead line for the period by which it will get approved, which comes to Rs. 2000/- per KVA.						

Annexure-B (1/2)

Annexure - B (?)

Estimate for 3CX11KV, 240 sqmm, XLPE Alu. Cable including laying by digging the cable trench with spare cable (14.5 km x 2=29km) as per prevailing cost data of respective Discom

No.	Item	UOM	Quantity required for 14.5 km U/G cable line with one spare cable	Cost in Rs.			
				DGVCL	MGVCL	PGVCL	UGVCL
				Total Cost	Total Cost	Total Cost	Total Cost
1	11KV Feeder VCB Panel complete in all respect at s/s end	No	1	318650	432678	332925	297000
2	3CX11KV, 240 sqmm, XLPE Alu. Cable including laying by digging the cable trench at substation end with a spare cable	mtr	200	240400	300200	391400	280200
3	Take up DP structure with Cross Boundary Protection using 116mm X 100mm X 11mtr long RSJ pole	No	1	66786	71191	82747	75549
4	11KV Indoor Cable Box suitable for 240 sq mm XLPE Cable including RMU	No	5	17500	21335	17950	27745
5	11KV Outdoor Cable Box suitable for 240 sq mm XLPE Cable	No	2	7000	8692	7930	13352
6	3CX11KV, 240 sqmm, XLPE Alu. Cable including laying by digging the cable trench with a spare cable (14.5 km x 2=29km)	km	29	46356848	51419407	56744648	40629000
7	3 ways RMU (3 LBS)	No	1	414180	440596	490595	340000
8	11KV Straight through joint suitable for 240 sq mm XLPE Cable	No	58	522000	376617	465624	671872
9	11KV D. P. Structure with A. B. Switch using 11 MTR RSJ Poles.	No	5	333930	355955	413735	350075
10	CTPT structure with CTPT and TVM considering avergae 10 connections per feeder	Set	8	1046128	916144	987704	1075408
11	Total cost of the feeder for 14.5 km with one spare cable	Rs.		49323422	54342815	59935258	43760201
12	Per KVA cost (Considering feeder capacity- 4000 KVA)	Rs./KVA		12331	13586	14984	10940
13	**Average cost**	**Rs./KVA**		**12960**			

Annexure - B (2/2)