HARYANA ELECTRICITY REGULATORY COMMISSION

Notification

The 14th November, 2013

Regulation No. HERC/10/2005/1st Amendment/2013:- In exercise of the powers conferred on it by section 86 (1) (g) read with section 181 of the Electricity Act 2003 (Act 36 of 2003) and all other powers enabling it in this behalf and after previous publication, the Haryana Electricity Regulatory Commission makes the following regulations to amend the Haryana Electricity Regulatory Commission (Fee) Regulations, 2005 as under:-

1. Short title, commencement, and interpretation.

(1) These Regulations may be called the Haryana Electricity Regulatory Commission (Fee) Regulations, 2005, 1st Amendment Regulations, 2013.

(2) These Regulations shall come into force on the date of their publication in the Haryana Government Gazette.

(3) These Regulations shall extend to whole of the State of Haryana.

2. The following Schedule of Fee shall replace the existing schedule of fee appended to the principle regulation notified on 6th January, 2005.

Sr. No	Particulars	Prescribed Fee
1	Application Processing fee for grant of license under section 14 of the Act as prescribed by the State Government vide "Payment of Fees for Processing of Application for Grant of Licence Rules, 2005".	Rs. One lakh or as prescribed by Haryana Government and amended from time to time.
2	**Annual Fees for determination of tariff / true up and midterm review.**	
i	Transmission / Distribution Licensee	0.04% of the amount of total Annual Revenue Requirement (ARR) including non – tariff income of the previous year subject to minimum of Rs. 15 lakh and maximum of Rs. 2 Crore per annum. For new applicant the amount

		would be 0.04% of the expected ARR for the 1st year of the license period subject to adjustment at the end of the year based on the actual / trued up ARR.
ii	Intra – State Trading Licensee	0.04% of the value of power to be traded during the previous year subject to minimum of Rs. 5 lakh and maximum of Rs. 2 Crore per annum. For new applicant the amount shall be worked out on the basis of projected value of power traded subject to adjustment at the end of the year based on actual data.
Annual fee shall be payable by the licensee(s) including the deemed licensee(s) provided he is not a bulk supply consumer of any distribution licensee and grant of license is not prohibited by any provisions of the Electricity Act, 2003. Provided further that an inter – state trading licensee shall pay license fee in relation to the intra – state trading undertaken by them in the State of Haryana. The annual fee shall be paid in advance at the commencement of the financial year.		
3	Application seeking prior approval under section 17 of the Electricity Act, 2003.	0.01% of the value of the transaction for which approval is sought, subject to a minimum of Rs. 5 lakh and maximum of Rs. 20 lakh.
4	Application for amendment of license under section 18 of the Electricity Act, 2003: a) by Licensee b) by any person other than a Licensee	 Rs. One lakh Rs. Fifty Thousand
5	Application / Petition under section 35 of the Electricity Act, 2003 for seeking the use of intervening transmission facilities.	Rs. Two lakh
6	Petition for adjudication of dispute regarding: i) Availability of transmission facility under second proviso to sub – section (2) of section 9 of the Electricity Act, 2003.	Rs. Two lakh. To be paid by the Petitioner who has referred such dispute to the Commission.

	ii) Extent of surplus capacity under the proviso to section 35 of the Electricity Act, 2003.	(For the purpose of clause 9, MW shall mean the transmission capacity in MW sought for non – discriminatory open access and which is the subject matter of dispute).
7	Petition for determination of rates, charges, terms and conditions under proviso to sub – section (1) of section 36 of the Electricity Act, 2003	Rs. Two lakh Fifty thousand. (To be paid by each party)
8	Petition for adjudication of disputes regarding provision of non – discriminatory open access under sub – section (47) of section 2 read with section 40 and 42 of the Electricity Act, 2003 and the regulations notified there under, not covered above. i) Preferred by a Licensee or by a generating company ii) Preferred by Person who has constructed, maintains and operates a Captive Generating Plant iii) Preferred by Open Access Consumer (other than i) and ii) above).	Rs. 5000 per MW subject to a ceiling of Rs. 5 lakh.
9	Petition for determination of tariff under the provisions of clause (a) of sub – section (1) of section 62 of the Electricity Act, 2003	
(a)	Conventional Fuel based power plants (coal, gas, liquid fuel etc.	Rs. Ten thousand per MW of the Installed Capacity subject to a ceiling of Rs.One Crore.
(b)	Non – conventional and Renewable sources of energy including co-generation based power plants.	Rs. Five thousand per MW of the Installed Capacity.
10	Application / Petition for approval of Power Purchase Agreement / Power Sale Agreement / Transmission Service Agreement.	
(a)	Conventional Fuel (coal, gas, liquid fuel etc.) based power plants.	Rs. Ten thousand per MW or part thereof of the installed capacity.
(b)	Non – conventional / renewable energy sources based power plants	Rs. Five thousand per MW or part thereof of the installed capacity.
(c)	Transmission Service Agreement	Rs. 2000 per MW.

11	Adoption of Tariff u/s 63 of the Act. i) Conventional Fuel based power plants ii) Non – conventional / renewable energy sources based power plants	 Rs. 1000 per MW of the Installed Capacity. Rs. 500 per MW of the Installed Capacity.
12	Petition for review of Tariff Order or power procurement rate by a licensee	Rs. One lakh
13	Request for inspection of documents / petition disposed of or under consideration of the Commission permitted to be inspected	Rs. Five hundred per file.
14	Request for obtaining certified copies of order / petition disposed of or under consideration of the Commission as may be permitted.	Rs. Five per page subject to a minimum of Rs. Fifty.
15	Petition for approval of Business Plan including Capital Investment Plan (CIP).	Rs. Fifty thousand.
16	Fee for any Application / Petition not covered above.	i) By a Generator / licensee: Rs. Twenty Five thousand. ii) In case the application / petition is filed by the residents of the group housing society against Management/Developer : NIL iii) In case the application/petition is filed in larger public interest: NIL iv) Fee for an application/ petition filed for personal interest or interest of a small group of persons: Rs Two thousand
17.	The cost of advertisement of public notices by the Commission in the newspapers in petition(s) where comments / objections of general public / stakeholders are required shall be borne by the parties concerned.	

By Order of the Commission

Sd/-
Director/Tariff
HERC