



# **Telangana State Electricity Regulatory Commission**

**5<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Lakdi-ka-pul, Hyderabad 500 004**

**Dated 29.09.2023**

## **Present**

Sri T. Sriranga Rao, Chairman  
Sri M. D. Manohar Raju, Member (Technical)  
Sri Bandaru Krishnaiah, Member (Finance)

### **O.P.No.15 of 2023 and I.A.No.2 of 2023**

Southern Power Distribution Company of Telangana Limited (TSSPDCL)

### **O.P.No.16 of 2023 and I.A.No.3 of 2023**

Northern Power Distribution Company of Telangana Limited (TSNPDCL)

... Applicants

The Southern Power Distribution Company of Telangana Limited (TSSPDCL) and the Northern Power Distribution Company of Telangana Limited (TSNPDCL) (together referred to as "Applicants or TSDISCOMs") filed petitions for determination of Additional Surcharge (AS) to be levied on Open Access (OA) consumers for H2 (2<sup>nd</sup> Half period from Oct'23 to Mar'24) of FY 2023-24 as per the directions of the Commission in its Order dated 18.09.2020 in O.P.No.23 of 2020 in accordance with the provisions of the Electricity Act, 2003 and Tariff Policy, 2016.

The Commission, in exercise of its powers under the Electricity Act, 2003, and after considering TSDISCOMs submissions, suggestions and objections of the stakeholders, responses of TSDISCOMs to the same, issues raised during the Public Hearing held on 23.08.2023 and all other relevant material, passed the following:

## **COMMON ORDER**

### **Chapter-1 Introduction**

#### **1.1 BACKGROUND**

1.1.1 The Commission vide its Suo Moto Order dated 18.09.2020 in O.P.No.23 of 2020 in the matter of "Mechanism for determination of stranded capacity and

framing the terms & conditions for levy of Additional Surcharge on Open Access users to meet the fixed cost of the distribution licensee arising out of its obligation of supply”, has held that -

“52. TSDISCOMs to submit their filings for determination of AS for the 1<sup>st</sup> half of the ensuing financial year i.e., for the period from April to September of the ensuing financial year latest by 30<sup>th</sup> November of the current financial year and for the 2<sup>nd</sup> half of the ensuing financial year i.e., for the period from October to March of the ensuing financial year latest by 31<sup>st</sup> May of the ensuing financial year.

a) **Mechanism for Demonstration of Stranded Capacity**

- i. The 15-minute time-block data of available capacity and scheduled capacity of all generating stations having long term PPAs with TSDISCOMs, and the scheduled capacity of OA consumers of six months period is to be taken.
- ii. In case of hydel generating stations, the scheduled capacity is to be treated as available capacity in that time block.
- iii. The lower of the surplus capacity (i.e., available capacity less scheduled capacity) and capacity scheduled by OA consumers is to be considered as stranded capacity for the 15-minute time block.
- iv. Accordingly, the average stranded capacity for six-month period due to open access has to be arrived.

b) **Approved Methodology for Computation of Additional Surcharge**

**Table 1-1: Approved Methodology for Computation of Additional Surcharge**

Sl. No.	Description	Unit	Value
{A}	Long term available capacity	MW	
{B}	Capacity stranded due to OA	MW	
{C}	Fixed Charges paid	Rs.crore	
$\{D\}=\{C\}\div\{A\}$	Fixed Charges per MW	Rs.crore/MW	
$\{E\}=\{D\}\times\{B\}$	Fixed Charges for stranded capacity	Rs.crore	
{F}	Transmission charges paid	Rs.crore	
{G}	Actual Energy scheduled	MU	
$\{H\}=\{F\}\div\{G\}$	Transmission charges per unit	Rs./kWh	
{I}	Distribution charges as per Tariff Order	Rs./kWh	
$\{J\}=\{H\}+\{I\}$	Total transmission and distribution charges per unit	Rs./kWh	
{K}	Energy consumed by OA consumers from TSDISCOMs	MU	
$\{L\}=\{K\}\times\{J\}$	Transmission and distribution charges paid by OA consumers	Rs.crore	
{M}	Demand charges recovered by TSDISCOMs from OA consumers	Rs.crore	
$\{N\}=\{M\}-\{L\}$	Demand charges to be adjusted	Rs.crore	
$\{O\}=\{E\}-\{N\}$	Net stranded charges recoverable	Rs.crore	
{P}	OA sales	MU	
$\{Q\}=\{O\}\div\{P\}$	Additional Surcharge	Rs./kWh	

c. **Terms & Conditions for levy of Additional Surcharge on OA Users**

- i. *The AS determined by the Commission shall be applicable to the consumers of TSDISCOMs who avail power through OA from any source other than their respective TSDISCOMs.*
- ii. *The AS shall be levied on the quantum of electricity scheduled by such consumers.*
- iii. *The AS shall not be levied on such OA consumers for their captive consumption to the extent of OA availed for wheeling of power from their own CPPs.*
- iv. *Exemption from payment of AS for the eligible OA consumers shall be as per the Government policy in force. TSDISCOMs may take up the issue of making good of the revenue loss due to such exemption with the State Government for proper relief.”*

1.1.2 In accordance with the above, the petition for determination of Additional Surcharge for H2 of FY 2023-24 were to be filed latest by 31.05.2023. Accordingly, TSSPDCL and TSNPDCL have filed petitions for determination of Additional Surcharge for H2 of FY 2023-24 on 31.05.2023.

## **1.2 STATUTORY AND REGULATORY PROVISIONS**

1.2.1 The following are the statutory provisions with regard to levy of Additional Surcharge on Open Access users:

- i) Section 42(4) of the Electricity Act, 2003 stipulates as under -  
*42(4) Where the State Commission permits a consumer or class of consumers to receive supply of electricity from a person other than the distribution licensee of his area of supply, such consumer shall be liable to pay an additional surcharge on the charges of wheeling, as may be specified by the State Commission, to meet the fixed cost of such distribution licensee arising out of his obligation to supply.*
- ii) Para 5.8.3 of the National Electricity Policy (NEP) dated 12.02.2005 notified under Section 3 of the Electricity Act, 2003, stipulates as under:  
*“... .. An additional surcharge may also be levied under sub-section (4) of Section 42 for meeting the fixed cost of the distribution licensee arising out of his obligation to supply in cases where consumers are allowed open access. The amount of surcharge and additional surcharge levied from consumers who are permitted open access should not become so onerous that it eliminates competition that is intended to be fostered in generation and supply of power directly to consumers through the provision of Open Access under Section 42(2) of the Act.”*

- iii) Clauses 8.5.1 and 8.5.4 of Tariff Policy, 2016 notified by MoP on 28.01.2016 stipulates as under:
- 8.5.1 National Electricity Policy lays down that the amount of cross-subsidy surcharge and the additional surcharge to be levied from consumers who are permitted open access should not be so onerous that it eliminates competition which is intended to be fostered in generation and supply of power directly to the consumers through open access.
- ... ..
- 8.5.4 *The additional surcharge for obligation to supply as per Section 42(4) of the Act should become applicable only if it is conclusively demonstrated that the obligation of a licensee, in terms of existing power purchase commitments, has been and continues to be stranded, or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. The fixed costs related to network assets would be recovered through wheeling charges.*
- iv) Clause 17.1(iv) of Regulation No.2 of 2005 stipulates as under:
- 17.1(iv) *The open access user shall also be liable to pay additional surcharge on charges of wheeling as may be specified by the Commission from time to time under section 42(4) of the Act, in case open access is sought for receiving supply from a person other than distribution licensee arising out of his obligation to supply.*
- v) The Commission directives issued in Common Order dated 20.03.2023 in O.P.Nos.75&76 of 2022 for determination of Additional Surcharge for H1 of FY 2023-24:
- a) *to reflect the stranded capacity after netting of short-term purchases, if any, in the corresponding time-block; and*
- b) *to reflect the distribution charges for HT network (other than LT network) i.e., 11 kV and 33 kV;*

### **1.3 PRESENT PETITIONS & APPLICATIONS**

- 1.3.1 Original Petition: As per the directions of the Commission in its Order dated 18.09.2020 in O.P.No.23 of 2020 and in accordance with the aforementioned statutory and regulatory provisions, TSSPDCL and TSNPDCL (Applicants) have filed petitions on 31.05.2023 for determination of Additional Surcharge to be levied on Open Access consumers for H2 (2<sup>nd</sup> Half period from Oct'23 to Mar'24) of FY 2023-24 and prayed for according approval to the licensees' proposal of Additional Surcharge of Rs.1.07/kWh for H2 of FY 2023-24.
- 1.3.2 Corrigendum: Subsequently, the Applicants have filed corrigendum to the original petition on 12.06.2023 rectifying the typographical mistakes, error in multiplication factor in the calculations in the original petitions, and for



substituting the relevant paragraph of original petition with the recomputed Additional Surcharge for H2 of FY 2023-24 and prayed for according approval to the licensees' proposal of recomputed Additional Surcharge of Rs.3.43/kWh for H2 of FY 2023-24. The Commission has informed vide letter dated 13.06.2023 that the corrigendum of original petition cannot be taken on file without a specific application to modify the original petition

- 1.3.3 Interlocutory Application: Accordingly, the Applicants have filed Interlocutory Applications (I.As.) (on 24.06.2023 and 27.06.2023 by TSNPDCL and TSNPDCL respectively), under clause 32 of Conduct of Business Regulations, 2015 read with Section 94(f) of the Electricity Act, 2003 seeking modification in the original filings of the petition filed on 31.05.2023 and prayed for according approval to the licensees' proposal of Additional Surcharge of Rs.3.43/kWh for H2 of FY 2023-24.

#### **1.4 ADMISSION OF PETITIONS & APPLICATIONS**

- 1.4.1 The Original Petitions and Interlocutory Applications were scrutinised and found to be generally in order as required under the Conduct of Business Regulations No.2 of 2015. The Commission admitted the same by assigning the following numbers:

- O.P.No.15 of 2023 & I.A.No.2 of 2023 for TSSPDCL
- O.P.No.16 of 2023 & I.A.No.3 of 2023 for TSNPDCL

#### **1.5 MODIFICATION OF ORIGINAL PETITIONS**

- 1.5.1 The Commission has allowed the Interlocutory Applications (I.As.) to that extent for modification of the original petitions as prayed for.

#### **1.6 REGULATORY PROCESS**

- 1.6.1 TSDISCOMs, as directed by the Commission, published a Public Notice (Annexure-I) in two (2) English, two (2) Telugu and One (1) Urdu daily newspapers on 11.07.2023. The notice was to inform the general public about TSDISCOMs filings before the Commission for determination of Additional Surcharge for H2 of FY 2023-24.

- 1.6.2 The filings along with supporting material have been made available by TSDISCOMs to the public at large including all the stakeholders. The filings and supporting material were also hosted on the website of TSDISCOMs as well as

on the website of the Commission.

1.6.3 It was also notified in the public notice that, objections/suggestions, if any, on the filings may be filed before 02.08.2023.

1.6.4 It was also informed in the Public Notice that the Commission intends to conduct a Public Hearing in Court Hall of TSERC on 23.08.2023 from 11:00 hours onwards.

## **1.7 RESPONSE TO PUBLIC NOTICE**

1.7.1 In response to the Public Notice issued by TSDISCOMs a total of seventeen (17) stakeholders [five (5) stakeholders within due date and twelve (12) stakeholders after due date] have filed objections/suggestions on the filings for determination of Additional Surcharge for H2 of FY 2023-24. (Annexure-II).

1.7.2 TSDISCOMs were directed to give the reply to the stakeholders in writing by sending the same to the respective stakeholder with a copy to the Commission. The replies were also posted on the website of the Commission.

## **1.8 PUBLIC HEARING**

1.8.1 The Commission has conducted the Public Hearing in the Court Hall of TSERC on 23.08.2023. The list of stakeholders who attended the Public Hearing is enclosed at Annexure-III. During the Public Hearing, the applicants made a brief presentation on filings and then the Commission heard all the stakeholders apart from the registered, who desired to be heard in person.

1.8.2 As directed by the Commission the Applicants have submitted the written submissions on the objections/suggestions received during the public hearing.

## Chapter-2 Summary of Filings

### 2.1 ADDITIONAL SURCHARGE FOR H2 OF FY 2023-24

2.1.1 As per the directions of the Commission in its Order dated 18.09.2020 in O.P.No.23 of 2020 and in accordance with the statutory and regulatory provisions, the Applicants have filed petitions on 31.05.2023 for determination of Additional Surcharge to be levied on Open Access consumers for H2 (2<sup>nd</sup> Half period from Oct'23 to Mar'24) of FY 2023-24.

2.1.2 TSDISCOMs submitted that due to operational difficulties to implement the directive of the Commission and in view of the irrational figures of Additional Surcharge, TSDISCOMs vide letter dated 24.04.2023 have proposed to the following modifications in the currently applicable methodology given in the O.P.No.23 of 2020:

“The energy consumed by the Open Access consumers from TSDISCOMs and respective Demand Charges collected to be excluded as the entire fixed charges commitment of licensees for power purchase and T&D system are not recovered through demand charges/fixed charges from the consumers.”

2.1.3 Based on the revised methodology proposed, TSDISCOMs submitted that the Additional Surcharge proposals for H2 of FY 2023-24 were made by considering the actual parameters pertaining to H2 of FY 2022-23 in consonance with the order in O.P.No.23 of 2020 and the Commission directives in O.P.Nos.75&76 of 2022 and prayed for according approval to the licensees' proposal of Additional Surcharge of Rs.1.07/kWh for H2 of FY 2023-24.

2.1.4 Subsequently, in the Interlocutory Applications, TSDISCOMs submitted for modifying the original filings stating that in the original petition, a typographical error occurred in the calculation sheet viz.,

- i) In calculating T&D charges to be paid by Open Access consumers i.e.,  $\{L\}$  Rs. in crore = Open Access sales  $\{K\}$  in MU x Total transmission and distribution charges per unit  $\{J\}$  in Rs/kWh, a multiplication factor of 1/10 (i.e., conversion from MU to Rs. in crore), was not incorporated.
- ii) Similarly, in calculating Additional Surcharge  $\{N\}$  in Rs./kWh = Net stranded charges recoverable  $\{m\}$  in Rs. crore = Open Access sales  $\{K\}$  in MU, a multiplication factor of 10 (i.e., conversion from crore to MU) was not incorporated.

2.1.5 The TSDISCOMs requested the Commission to consider revised computations

and substitute the paragraph 9 of the original petitions and prayed for according approval to the licensees' proposal of Additional Surcharge of Rs.3.43/kWh for H2 of FY 2023-24.

2.1.6 The details of modified filings of TSDISCOMs are as follows:

- The average stranded capacity due to Open Access consumers for six months period (Oct'22 to Mar'23) considering 15-minute block wise data works out as 47.42 MW as given in Table below:

**Table 2-1: Average Stranded Capacity due to Open Access Consumers for the period (Oct'22 - Mar'23)**

Particulars (in MW)	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Average for six (6) months period*
Available Capacity	10699.28	8686.20	8574.67	8979.65	9067.35	9142.35	9191.58
Scheduled Capacity	7107.92	7146.26	7756.70	7238.18	9025.43	8009.09	7713.93
(Deficit)/Surplus	3591.36	1539.95	817.97	1741.35	41.93	1133.27	1477.64
Short Term Purchase Capacity	136.52	338.36	1102.46	134.44	2261.62	2791.20	1127.43
Deficit/ (Surplus) after netting of Short Term purchases	3459.03	1292.01	626.66	1721.82	51.91	251.04	1233.74
Open Access Scheduled Capacity	94.90	94.17	74.58	53.33	50.14	39.09	67.70
Stranded Capacity	94.22	81.31	38.68	48.85	10.17	11.31	47.42
Stranded Capacity arrived by considering minimum of backing down i.e., surplus and Open Access scheduled capacity for each 15-minute time block.							

- The fixed charges paid to the generators for H2 of FY 2022-23 is Rs.6574.36 crore and the average long term available capacity is 9191.58 MW. Thus, the average fixed charges work out to Rs.0.72 crore/MW.
- Accordingly, the fixed charges for stranded capacity of 47.42 MW works out as Rs.33.92 crore (i.e., 47.42 MW x Rs.0.72 crore/MW).
- The transmission charges paid by TSDISCOMs for H2 of FY 2022-23 are Rs.2483.71 crore and scheduled energy for that period is 39635.68 MU. Thus, the actual transmission cost per unit works out to Rs.0.63/kWh.
- As per the directions issued by the Commission in O.P.No.75 and 76 of 2022 for determination of Additional Surcharge for H1 of FY 2023-24, the distribution wheeling charges for HT network for FY 2022-23 works out to Rs.0.18 per kWh.
- Hence, the total T&D costs works out to Rs.0.81/kWh.
- Based on the above-mentioned values, Transmission and distribution charges to be paid by Open Access consumers works out to be Rs.10.40 crore (i.e., 129.14 MU x 0.81 Rs/kWh).
- Hence, the net stranded charges are Rs.44.32 crore which are considered for calculation of additional surcharge.
- Hence the additional surcharge per unit is computed to be Rs.3.43 per kWh (i.e., 44.32 crore/129.14 MU).



- Accordingly, the additional surcharge that is determined for H2 of FY 2023 24 has been tabulated below:

**Table 2-2: Additional Surcharge Claimed for H2 of FY 2023-24**

Sl. No.	Description	Unit	Value
{A}	Long term available capacity	MW	9191.58
{B}	Capacity stranded due to OA	MW	47.42
{C}	Fixed Charges paid	Rs.crore	6574.36
{D}={C}÷{A}	Fixed Charges per MW	Rs.crore/MW	0.72
{E}={D}x{B}	Fixed Charges for stranded capacity	Rs.crore	33.92
{F}	Transmission charges paid	Rs.crore	2483.71
{G}	Actual Energy scheduled	MU	39635.68
{H}={F}÷{G}	Transmission charges per unit	Rs./kWh	0.63
{I}	Distribution charges as per Tariff Order	Rs./kWh	0.18
{J}={H}+{I}	Total transmission and distribution charges per unit	Rs./kWh	0.81
{K}	Open Access sales	MU	129.14
{L}={K}x{J}x1/10	Transmission and distribution charges payable by OA consumers	Rs.crore	10.40
{M}={L}+{E}	Net stranded charges recoverable	Rs.crore	44.32
{N}={M}x10÷{K}	Additional Surcharge	Rs./kWh	3.43

- TSDISCOMs requested the Commission to approve the Additional Surcharge of Rs.3.43/kWh for H2 of FY 2023-24.

2.1.7 TSDISCOMs further submitted that the fixed charges paid for H2 of FY 2022-23 as claimed in the present filings are provisional in nature and are subject to variations in final audited accounts. TSDISCOMs requested the Commission to consider any variation in fixed charges in the ensuing filings of Additional Surcharge as and when the final audited accounts are available.

## **Chapter-3**

### **Issues Raised by Stakeholders, Responses of Applicants and Commission's Views**

#### **3.1 OBJECTIONS/SUGGESTIONS MADE ON FILINGS**

3.1.1 In response to the Public Notice issued by TSDISCOMs a total seventeen (17) stakeholders [five (5) stakeholders within due date and twelve (12) stakeholders after due date], details as given in Annexure-I, have filed objections/suggestions on the filings for determination of Additional Surcharge for H2 of FY 2023-24. TSDISCOMs as directed by the Commission have filed replies on the objections/suggestions received from the stakeholders. The Commission has concluded all the objections/suggestions of the stakeholders who made in writing as well as during the Public Hearing held on 22.08.2023 and the responses to them by the Petitioner. For the sake of clarity, the objections/suggestions raised by the stakeholders and responses of the Petitioner have been consolidated and summarised issue-wise.

#### **3.2 AUDITED ACCOUNTS & RECONCILIATION STATEMENT**

##### ***Stakeholder's Submission***

3.2.1 The audited accounts pertaining to TSSPDCL for respective quarters are available in public domain, whereas the Petitioners have not furnished reconciliation statement for the available audited accounts which is quite necessary to verify the claim.

3.2.2 TSNPDCL has to provide audited reports along with the reconciliation statement towards corresponding quarters in order to check the veracity of the said claims.

##### ***Response of TSDISCOMs***

3.2.3 There shall be an yearly statutory audit report confirming the financials including costs and revenues of TSDISCOMs and the same shall be submitted after the due process of completion of statutory and C&AG Audit to the Commission. The statutory audited reports are being hosted in TSDISCOMs website. TSNPDCL audited reports for Q3&Q4 have been uploaded in TSDISCOM website.

### **Commission's View**

- 3.2.4 The Commission has taken note of the submissions of stakeholders and TSDISCOMs. The Commission has considered the fixed cost and energy scheduled from the filings of pooled cost to be considered for FY 2023-24, which were confirmed by TSDiscoms that they are audited figures.

### **3.3 COMPUTATION METHODOLOGY**

#### **Stakeholder's Submission**

- 3.3.1 The Commission in order dated 18.09.2020 in O.P.No.23 of 2020 has defined the methodology for computation of Additional Surcharge and further in order in O.P.No.48 of 2021, O.P.No.49 of 2021, O.P.No.50 of 2021, O.P.No.51 of 2021 dated 24.12.2021, O.P.No.61 of 2021, O.P.No.62 of 2021 dated 22.03.2022, O.P.No.55 of 2022, O.P.No.56 of 2022 dated 27.09.2022 and O.P.No.75 of 2022, O.P.No.75 of 2022 dated 20.03.2023 has considered the reduction of demand charges paid by the Open Access consumer to the TDISCOM for the energy consumed from TSDISCOM.
- 3.3.2 Though TSDISCOMs have aligned the computations of their claim with the directives issued by the Commission vide Order dated 20.03.2023 with respect to –
- a) to reflect the stranded capacity after netting off short-term purchases, if any, in the corresponding time-block and
  - b) to reflect the distribution charges for only HT network (i.e., other than LT network) viz., 11 kV and 33 kV

They have not considered to reduce the "*Demand charges collected by the TSDISCOMs from open access consumers*" from the "*Transmission and distribution charges payable by open access consumers*" while arriving at the "*Transmission charges to be paid by the Open Access consumers*". As a result, the amount already paid by the consumers as demand charges are not being adjusted in the computations. This approach contravenes the approach and methodology adopted by the Commission in the past orders.

- 3.3.3 The change in methodology proposed by the Petitioners is not aligned with the methodology already approved by the Commission. Since, the embedded Open Access consumers are already paying demand charges, the effect of

same ought to be included in the computations else it will lead to additional financial burden on the Open Access Consumers. Hence, the Commission is requested to consider the demand charges paid by the Open Access Consumer to the Distribution Company while computing Additional Surcharge.

***Response of TSDISCOMs***

- 3.3.4 TSDISCOMs have requested the Commission to revise the existing methodology vide letter dated 24.04.2023 for computation of Additional Surcharge as there has been substantial divergence from the original methodology approved in the O.P.No.23 of 2020 dated 18.09.2020 in the orders passed in O.P.Nos.75&76 of 2022 for H1 of FY 2023-24. TSDISCOMs are of the opinion that as per the RST orders issued by the Commission regularly, the entire fixed costs commitments of Generation, Transmission and Distribution systems are not being recovered through Demand Charges from HT Consumers & Fixed Charges from LT Consumers, but major portion is being recovered through energy charges from the consumers. In the Past orders regarding Additional Surcharge issued by the Commission, considered “*under recovery of demand charges from the open access consumers*” does not reflect TSDISCOMs entire liability towards fixed cost payments towards generators, transmission cost and distribution cost.
- 3.3.5 While determining Additional Surcharge for H1 of FY 2023-24, the Commission did not consider the distribution charges for LT Network for determination of Additional Surcharge even though these charges are to be considered as per the approved methodology. This deviation from methodology caused substantial financial loss to TSDISCOMs. The entire Distribution Network/ system (33 kV, 11 kV & LT) ought to be considered as a single unit, for consideration of distribution fixed cost approved in the wheeling tariff order.
- 3.3.6 In view of these regular deviations from the approved methodology, newer directions being issued to determine Additional Surcharge and increasing trend of Additional Surcharge mandate modifications. Hence TSDISCOMs requested TSERC vide letter dated 24.04.2023 to amend/modify/substitute the existing approved methodology notified in the order passed in O.P.No.23 of 2020 dated 18.09.2020.

### **Commission's View**

- 3.3.7 The methodology, which was finalized and approved in Suo Moto Order dated 18.09.2020 in O.P.No.23 of 2020 in the matter of “*Mechanism for determination of stranded capacity and framing the terms & conditions for levy of Additional Surcharge on open access users to meet the fixed cost of the distribution licensee arising out of its obligation of supply*” is being followed by the Commission in determination of Additional Surcharge to be levied on Open Access consumers.
- 3.3.8 However, certain changes in inputs for computation of Additional Surcharge formula have taken place, in consideration of stakeholders objections/ suggestions viz., a) for arriving capacity stranded due to open access {B}, by netting of time-block wise short term purchases and sale of surplus power in the market from time-block wise Long term available capacity {A} in addition to time-block wise scheduled capacity, and b) limiting the distribution charges as per Tariff Order {I} to HT network only i.e., not consideration of LT distribution cost, etc.
- 3.3.9 The difference between existing methodology and modified methodology proposed by TSDISCOMs in nut shell is as given in Table below:

<b>Existing Methodology</b>	<b>Proposed modified methodology by TSDISCOMs</b>
<p>Abstract of formula for Additional Surcharge {Q}</p> $= \frac{[E] + [K] \times [J] - [M]}{[P]}$ <p>Where {E} is Fixed Charges for stranded capacity in Rs. in crore/MW;            {K} is Energy Consumed by open access consumers from TSDISCOMs in MU;            {J} is total Transmission and distribution charges per unit in Rs./kWh;            {M} is Demand charges recovered by TSDISCOMs from open access consumers in Rs. in crore; and            {P} is Open Access sales in MU;</p>	<p>Abstract of formula for Additional Surcharge {Q}</p> $= \frac{[E] + [K] \times [J]}{[P]}$ <p>Where {E} is Fixed Charges for stranded capacity in Rs.in crore/MW;            {K} = {P} is Open Access sales in MU; and            {J} is total Transmission and distribution charges per unit in Rs./kWh;</p>

From the above, it is clear that main differences are a) TSDISCOMs have not considered to reduce {M} the Demand charges recovered/collected by the TSDISCOMs from open access consumers, and b) TSDISCOMs have considered {K} as {P} viz., instead of considering the energy consumed by open



access consumers from TSDISCOMs, TSDISCOMs have considered open access sales.

3.3.10 The Commission observes that the modified methodology now proposed by TSDISCOMs is lack of merits on the following grounds:

- i) TSDISCOMs have not provided any rationale and without proper justification towards consideration of energy consumed by open access consumers from TSDISCOMs as Open Access sales i.e.,  $\{K\} = \{P\}$ . The demand charges already paid by the open access consumers are also not being adjusted in the computation of Additional Surcharge.
- ii) The Commission is in agreement with the stakeholders comment that the embedded open access consumers are paying demand charges towards the contracted maximum demand (CMD) with TSDISCOM, the effect of the same ought to be included in the computation or else it will lead to additional financial burden to Open Access consumers.
- iii) Transmission and Distribution charges payable by Open Access consumers  $[\{L\} = \{K\} \times \{J\}]$  has to be arrived based on the energy consumed by Open Access consumers from TSDISCOMs and not on open access consumption (sales).

3.3.11 Notwithstanding the above, the TSDISCOMs proposed modified methodology has resulted in irrational figures of Additional Surcharge.

3.3.12 In view of the above, the Commission decides to follow the existing methodology.

### **3.4 AVAILABLE CAPACITY**

#### ***Stakeholder's Submission***

3.4.1 Peak demand availability should be considered instead of average available capacity (9,196.41 MW) at TSDISCOMs.

#### ***Response of TSDISCOMs***

3.4.2 The Commission in its order in O.P.No.23 of 2020 (page 12) opined that the methodology of Additional Surcharge computation was approved in the order dated 13.12.2017. The Commission also considered the same for determination of Additional Surcharge for all previous period, including for H1 of FY 2023-24, H1 & H2 of FY 2022-23 and H2 of FY 2021-22.

- 3.4.3 In other States also, the stranded capacity is being calculated using average availability and not the peak availability.

***Commission's View***

- 3.4.4 The Commission after prudent check has considered the average available capacity in accordance with approved methodology, as detailed in Chapter-4.

**3.5 STRANDED CAPACITY**

***Stakeholder's Submission***

- 3.5.1 The continuous stranded capacity has to be shown by TSDISCOMs and it should be demonstrated that it is due to Open Access consumers.
- 3.5.2 Stranding of generation assets happen due to various reasons such as higher RE generation, lower demand and commercial decision to source lower cost power, etc.
- 3.5.3 TSDISCOMs are purchasing energy from power exchanges despite having stranded capacity.

***Response of TSDISCOMs***

- 3.5.4 Detailed 15-minute block-wise calculation of stranded capacity and respective calculation sheets have been provided to show stranded capacity by TSDISCOMs. Further, all the details regarding plant availability, schedules and respective calculation sheets have been shared with the Commission. These details are hosted at TSDISCOM's websites for easy access to the stakeholders.
- 3.5.5 TSDISCOMs have provided detailed information of all purchases made by the TSDISCOMs from the power exchanges under the additional information requirement of the Commission.
- 3.5.6 The short-term purchases are already being netted of in calculation of stranded capacity as per the Commission directive in Additional Surcharge order for H1 of FY 2023-24.

***Commission's View***

- 3.5.7 The Commission in its order dated 20.03.2023 in O.P.Nos.75&76 of 2022 in the matter of determination of Additional Surcharge for H1 of FY 2023-24 has issued directions to TSDISCOMs to reflect the stranded capacity after netting

of short-term purchases, if any, in the corresponding time-block.

### 3.6 FIXED CHARGES

#### ***Stakeholder's Submission***

- 3.6.1 TSDISCOMs in the present submission has considered Rs.6574.36 crore as the fixed charges for H2 of FY 2022-23 for computation of Additional Surcharge. Further, TSDISCOMs have only provided the generator wise breakup of fixed charges with no clarity on consideration of any supplementary charges or late payment surcharge or discount availed by TSDISCOMs on payment to Generators.
- 3.6.2 The actual Fixed Costs as a part of actual Power Purchase Cost, ought to be subjected to strict prudence check in terms of clause 12 of the Tariff Regulation [Regulation No.4 of 2005]:

*“12.1 The Distribution Licensee shall be allowed to recover the cost of power it procures, including from State generators, independent power producers, Central generating stations, non-conventional energy generators, and others, for supply to consumers, based on the Commission-approved Power Procurement Plan of the Distribution Licensee covering each year of the Control Period:*

*Provided that where the procurement is for sale to consumers permitted open access by the Nodal Agency under the Open Access Regulation or purchase for trading, the Distribution Licensee shall provide an Allocation Statement as referred to in clause 5 clearly specifying the costs that are attributable to the sales made to such consumers, utilities, etc.*

*12.2 Except in the case of Retail Supply Business insofar as for the first Control Period is concerned:*

- a. The Commission shall adopt the sales Forecast, the Distribution loss trajectory and the Power Procurement Plan approved as part of the Resource Plan for the purpose of determining the Power Purchase Requirement of the Distribution Licensee for the Control Period;*
- b. The power procurement plan will not generally require any revisions during the Control Period, and the Commission-approved category-wise power procurement forecast shall be applied for estimating the Distribution Licensees' power procurement requirement for each year of the Control Period;*
- c. While approving the cost of power procurement, the Commission shall determine the quantum of electricity to be procured, consistent with the power procurement plan, from various sources of supply, in accordance with the principle of merit order schedule and dispatch, based on a*

*ranking of-all approved sources of supply in the order of variable cost or price.”*

- 3.6.3 The Commission in its Retail Supply Tariff Order dated 20.03.2023 for FY 2023-24 has not considered any capacity allocation from NTECL Vallur TPS and NLC Tamil Nadu Power Ltd for FY 2023-24 in line with the earlier directives of the Commission in RST Orders for FY 2017-18 and FY 2018-19. Hence, dubious fixed charges paid to NTECL Vallur TPS and NLC Tamil Nadu Power Ltd are not to be considered.
- 3.6.4 Since no proper justification is provided by petitioner regarding the breakup of generator-wise fixed cost and actual monthly/half-yearly Plant Availability Factor for each power plant from which Long Term power procurement is being carried out, the reliance should be placed upon the power purchase cost approved by the Commission in the Retail Supply Tariffs (RST) order dated 20.03.2023 for FY 2023-24 and the power purchase cost approved by the Commission in Additional Surcharge order dated 20.03.2023 for H1 of FY 2023-24. Accordingly, the fixed charges paid is proposed to be computed based on the difference between the aforementioned items. The assessment of fixed cost of Rs.4918.73 crore by the stakeholder is depicted in the table below.

**Table 3-1: Total Fixed Cost excluding NCEs**

*Rs. in crore*

Name of the Generating Station	Approved Value - Additional Surcharge order dated 20.03.2023 for H1 of FY 2023-24	Approved Value - RST Order FY 2023-24	Petitioner's Claim- Oct' 22 to Mar'23	Objector's Assessment- Oct'22 to Mar'23
<b>CGS</b>				
NPC Kaiga-I&II	-			-
NPC-MAPS	-			-
NPC-Kudankulam	-			-
NLC-I	1.77	2.49		1.77
NLC-II	2.86	3.4		2.86
NNTPS	40.34	77.97		40.34
NTPC(SR)-I&II	87.35	178.39		87.35
NTPC(SR)-III	19.78	53.07		19.78
NTPC-Simhadri-I	229.90	356.75		229.90
NTPC-Simhadri-II	162.11	258.35		162.11
NTPC-Talcher-II	68.78	109.49		68.78
NTPC Kudigi-I	164.17	285.66		164.17
NTECL-Valluru	71.59	-		-

Name of the Generating Station	Approved Value - Additional Surcharge order dated 20.03.2023 for H1 of FY 2023-24	Approved Value - RST Order FY 2023-24	Petitioner's Claim- Oct' 22 to Mar'23	Objector's Assessment- Oct'22 to Mar'23
NLC-Tamilnadu Power Ltd	77.38	-		-
<b>CGS Total</b>	<b>926.03</b>	<b>1325.57</b>		<b>777.06</b>
APGPCL-I	-	399.54		-
APGPCL-I&II	-			-
APGPCL Total	-			-
IPPs				
Sembcorp 570 MW	530.03	1135.02		530.03
Sembcorp 269.45 MW	159.33	317.58		159.33
<b>Total IPPs/MPPs</b>	<b>689.37</b>	<b>1452.6</b>		<b>689.37</b>
<b>TSGENCO-total</b>	<b>3266.17</b>	<b>6251.53</b>		<b>3239.95</b>
STPP-U1&U2	708.08	1329.7		708.08
CSPDCL	-			-
<b>Total Fixed Cost Excluding NCEs</b>	<b>5589.64</b>		<b>6574.36</b>	<b>4918.73</b>

3.6.5 In the absence of the substantiating evidence/documents with regard to power purchase cost, the Commission may evaluate Power Purchase/Procurement Cost for H2 of FY 2023-24 based on the above depicted approach.

3.6.6 The veracity of above shown data needs to be verified to avoid any loading of inefficiency of TSDISCOMs on State consumers in the form of Additional Surcharge.

3.6.7 Prudence check is to be conducted on the fixed cost submitted by TSDISCOMs.

#### ***Response of TSDISCOMs***

3.6.8 TSDISCOMs have already provided the complete breakup of the individual fixed cost of each generating station that has been considered in the determination of Additional Surcharge for H2 FY 2023-24.

3.6.9 The supplementary charges or late payment surcharge to Generators are not considered in fixed cost.

3.6.10 The fixed charges are paid to the generators based on the availability of power plants as per the terms & conditions of the PPA. The invoices received from the generators are being verified as per terms and conditions of PPA by internal audit team of TSDISCOMs and after their approval the bills will be passed for payments.



- 3.6.11 TSDISCOMs have computed the stranded capacity in each time block duly considering the availability of generation plants.
- 3.6.12 There are no fixed charges paid towards NCE power procurement.
- 3.6.13 TSDISCOMs submitted a requisition to MoP, Gol expressing its willingness to surrender the share of Telangana State from NTECL Vallur TPS and NLC Tamil Nadu Power Ltd. and their decision is under process. The fixed charges paid to the generators (NTECL Vallur TPS and NLC Tamil Nadu Power Ltd for FY 2023-24) are considered based on the allocation by Central Govt. and availability of power plants.
- 3.6.14 TSDISCOMs submit that the fixed costs claimed in the additional surcharge filings for H2 of FY 2023-24, are the actual fixed costs incurred during H2 of FY 2022-23. Hence, objector is misinterpreting and incorrectly comparing the power purchase cost approved in H1 FY 2023-24, which was actual power purchases cost of H1 FY 2022-23, and the costs approved in RST order dated 20.03.2023 for FY 2023-24. The objector needs to understand that while the power purchase cost approved for FY 2023-24 are based on estimation, the fixed costs claimed in the additional surcharge filings are actual costs incurred in previous year (H1 & H2 of FY 2022-23). The objector's claim is incorrect since actual costs are available and no estimation is required. All relevant calculations and cost sheets have been shared with the Commission.
- 3.6.15 TSDISCOMs have already provided the complete breakup of the individual items and respective calculation sheets used in determination of Additional Surcharge (AS). TSDISCOMs are completely transparent in the way of various factors analysed to arrive at the Additional Surcharge claim. These details are hosted in TSDISCOM's websites.

### ***Commission's View***

- 3.6.16 The Commission has considered the actual Fixed Charges in accordance with approved methodology after prudent check.

## **3.7 TRANSMISSION CHARGES**

### ***Stakeholder's Submission***

- 3.7.1 TSDISCOMs for the computation of per unit transmission charges, considered both inter-state, intra-state transmission charges and SLDC charges. It is

submitted that the inclusion of STU and ISTS charges while computing Additional Surcharge will lead to higher levy of Additional Surcharge on the consumers.

3.7.2 As against the above, in order dated 27.03.2018 for determination of Additional Surcharge for FY 2018-19, the Commission considered only the intra-state transmission charge for computing per unit transmission charge which is the correct approach owing to the following reasons:

- a) Inter-State transmission cost is on account of the transmission charges being paid by TSDISCOMs for long/medium term access to the ISTS system. Such charges to be paid by TSDISCOMs are notified by NLDC.
- b) Any consumer availing Open Access to the ISTS system also pays its ISTS cost for the power procured through Open Access, the benefit of which accrues to the State in reduction of their POC charges.

3.7.3 This reduction is due to clause 11(3) of the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 which clarify that any consumer availing Open Access to the ISTS system also pays its ISTS cost for the power procured through Open Access, the benefit of which accrues to the State/TSDISCOMs in reduction of their ISTS charges. Relevant clause of the Regulation is provided below:

*"11. Transmission charges for Short Term Open Access*

*... ..*

- (3) Transmission charges for Short Term Open Access paid by an embedded intra-state entity during a month shall be reimbursed in the following billing month to the State in which such entity is located. "*

3.7.4 Similarly, the embedded Open Access consumers are also paying STU charges as part of the fixed charges and additionally STU charges on all Open Access transactions.

3.7.5 Inclusion of ISTS & STU charges again for computation of Additional Surcharge as claimed by the Petitioner, will lead to double levy of the same charge on Open Access consumers. The submission of TSDISCOMs that said benefit is passed in ARR to consumers is not justifiable since the impact of double levy of ISTS charges would already make Open Access unviable for consumers. Thus, the Commission may re-consider its view on allowing inclusion of ISTS

& STU charges in Additional Surcharge.

***Response of TSDISCOMs***

- 3.7.6 The Commission in its order in O.P.No.23 of 2020 (page 12) opined that the methodology of Additional Surcharge computation was approved in the Order dated 13.12.2017 in I.A.Nos.22&23 of 2017 in O.P.Nos.22&23 of 2016 respectively (Additional Surcharge Order for FY 2017-18) and the same have attained finality. The Commission while determining Additional Surcharge for H1 of FY 2023-24, H1 & H2 of FY 2022-23, and H2 of FY 2021-22 has also considered the ISTS. The methodology adopted in the order dated 27.03.2018 for determination of Additional Surcharge for FY 2018-19 is superseded by the Commission order dated 18.09.2020 in O.P.No.23 of 2020.
- 3.7.7 Hence, TSDISCOMs considered the transmission charges i.e., both intra-state & inter-state transmission charges for computing per unit transmission charge in conformity with the aforementioned order.
- 3.7.8 Further, there is no rationality in considering intra-state transmission charges alone, as TSDISCOMs have long term power purchase commitments with both intra-state and inter-state generators thereby utilizing the intra and inter-state transmission corridors. And further the backing down of generation is not limited to intra-state generators alone. Hence, the transmission charges that are considered in totality are justified in arriving at per unit transmission charge.
- 3.7.9 TSDISCOMs understands that the ISTS cost paid by the consumer availing ISTS system, benefits in reduction of POC charges for the State. However, the same benefits have been passed on to the consumer through APR filed by TSTRANSCO and approved by the Commission as per the regulatory processes.

***Commission's View***

- 3.7.10 The Commission is in agreement with the replies given by TSDISCOMs.

**3.8 DISTRIBUTION CHARGES**

***Stakeholder's Submission***

- 3.8.1 TSDISCOMs in the present submission has considered Rs.6574.36 crore as the fixed charges for H2 of FY 2022-23 for computation of Additional Surcharge. Further, TSDISCOMs have only provided the generator wise breakup of fixed

charges with no clarity on consideration of any supplementary charges or late payment surcharge or discount availed by TSDISCOMs on payment to Generators.

3.8.2 Furthermore, Ministry of Power in the Draft Electricity (Amendment) Rules, 2023 has proposed the following with respect to levy of Additional Surcharge:

“23(i) Wheeling Charges: Wheeling charges shall be computed as per following formula:

Wheeling Charge =  $\frac{\text{Aggregate Revenue Requirement towards wheeling/Energy wheeled during the year}}{\text{Aggregate Revenue Requirement towards wheeling/Energy wheeled during the year}}$

(iii) Additional Surcharge: The additional surcharge levied on any Open Access consumer shall not be more than fifty percent of the wheeling charges for that category of consumers.”

3.8.3 The above proposal depicts that Ministry of Power, Government of India also appreciates that limiting Additional surcharge is expected to facilitate the Open Access sales thereby has introduced ceiling on the levy of Additional Surcharge.

3.8.4 The Commission may kindly adopt the approach as enshrined in the draft Rules as quoted above and limit the Additional Surcharge to 20% of the wheeling charges and is requested to conduct a prudence check on the fixed cost submitted by TSDISCOMs and also direct TSDISCOMs to submit the detailed break up of generator wise fixed cost considered for computation of Additional Surcharge.

#### ***Response of TSDISCOMs***

3.8.5 TSDISCOMs have already provided the complete breakup of the individual fixed cost of each generating station that has been considered in the determination of Additional Surcharge for H2 FY 2023-24. The supplementary charges or late payment surcharge to Generators are not considered in fixed cost.

3.8.6 The invoices received from the generators are being verified as per terms and conditions of PPA by internal audit team of TSDISCOMs and after their approval the bills will be passed for payments.

3.8.7 The proposal in the Draft Electricity (Amendment) Rules, 2023 is completely irrational and is against the mandates of the Electricity Act, 2003. The Electricity Act, 2003 identifies the need for compensating TSDISCOMs by levying

additional surcharge in case consumers switches to alternate supplies under Open Access.

- 3.8.8 Sub-section (2) of Section 42 of the Electricity Act, 2003 mentions that –  
*“Provided that such open access shall be allowed on payment of a surcharge in addition to the charges for wheeling as may be determined by the State Commission.”*
- 3.8.9 Further, Sub-section (4) of Section 42 also highlights the need of additional surcharge by stating:  
*“4) Where the State Commission permits a consumer or class of consumers to receive supply of electricity from a person other than the distribution licensee of his area of supply, such consumer shall be liable to pay an additional surcharge on the charges of wheeling, as may be specified by the State Commission, to meet the fixed cost of such distribution licensee arising out of his obligation to supply.”*
- 3.8.10 As identified by the policymakers through the mandates of the Electricity Act, 2003, removing additional surcharge would result in TSDISCOMs having to bear excessive fixed costs associated with PPA signed for long-term durations (25 years) on account of stranded capacity due to switching of existing consumers. The additional surcharge helps in assuaging TSDISCOMs financial worries. Removing of such charges would put TSDISCOMs under significant financial duress.
- 3.8.11 The additional surcharge compensates TSDISCOMs against the payments towards fixed payments for stranded capacity and reduction or ceiling on additional surcharge will directly impact TSDISCOMs' financially. TSDISCOMs does not find any merit in the proposal as it does not have any basis for such ceiling for additional surcharge. The promotion of Open Access cannot be done at cost of TSDISCOMs. Any such proposal should have incentive mandated by the Central or State Government to compensate TSDISCOMs against any potential financial losses/implications. TSDISCOMs must not be subjected to business risks and financial losses by being forced to incentivize Open Access consumers through reduction of various charges. TSDISCOMs should not be made to bear brunt of promoting Open Access as it seems to be the case with this proposal. Given the various reasons, this proposal should be dropped without any further consideration.



### ***Commission's View***

- 3.8.12 The Commission has taken note of the submissions of the stakeholders and TSDISCOMs. The details of distribution cost considered is dealt in Chapter-4.

## **3.9 DEMAND CHARGES RECOVERED FROM OPEN ACCESS CONSUMERS**

### ***Stakeholder's Submission***

- 3.9.1 TSDISCOMs went against the methodology fixed by the Commission and did not consider the Demand Charges already paid by the Open Access Consumers.
- 3.9.2 This is in complete contradiction with the approach of the Commission in the earlier Additional Surcharge Orders as well the methodology affirmed by the Commission in the past. Not reducing the demand charges from the transmission and distribution charges payable by Open Access consumers will lead to inflated levy of Additional Surcharge on the consumers.

### ***Response of TSDISCOMs***

- 3.9.3 TSDISCOMs are of the opinion that as per the RST orders issued by the Commission regularly, the entire fixed costs commitments of Generation, Transmission and Distribution systems are not being recovered through Demand Charges from HT Consumers & Fixed Charges from LT Consumers, but major portion is being recovered through energy charges from the consumers. In the Past orders regarding Additional Surcharge issued by the Commission, considered "*under recovery of demand charges from the open access consumers*" does not reflect TSDISCOMs entire liability of payments of fixed cost towards generators, transmission cost and distribution cost.
- 3.9.4 TSDISCOMs have requested the Commission to revise the methodology for computation of Additional Surcharge as there has been substantial divergence from the original methodology. The original methodology has changed significantly from its finalization in the O.P.No.23 of 2020 dated 18.09.2020.

### ***Commission's View***

- 3.9.5 The submissions of Stakeholders and TSDISCOMs are taken note of.

## **3.10 OPEN ACCESS SALES**

### ***Stakeholder's Submission***

- 3.10.1 The Petitioner has not provided any rationale towards consideration of energy

consumed by Open Access consumers from TSDISCOMs as well as Demand charges recovered from Open Access consumers while computing the Additional Surcharge charges.

- 3.10.2 Further, the Open Access sales claimed by the petitioner are lacking proper evidence and is significantly less than the open access sales approved for in the RST order dated 20.03.2023 for FY 2023-24 or that of open access sales approved by the Commission in Additional Surcharge order dated 20.03.2023 for H1 of FY 2023-24. The Open Access sales considered by the stakeholder on the difference between the aforementioned items is projected below for reference:

**Table 3-2: Open Access Sales considered by the Objector**

Particulars	Petitioner's Claim	Approved Open Access sales in RST order 2023-24	Approved Open Access sales in Additional Surcharge order for H1 of 2023-24	As per objector's Assessment
	A	B	C	D=B-C
Open Access sales (MU)	129.14	602.14	213.89	388.25

**Response of TSDISCOMs**

- 3.10.3 TSDISCOMs submit that the Open Access sales used in the calculation (129.14 MU) is actual Open Access sales for H2 of FY 2022-23 as per the approved methodology in O.P.No.23 of 2020 dated 18.09.2020 and is not at all estimation.
- 3.10.4 The stakeholder's assessment is based on the projected Open Access sales for FY 2023-24 which was approved by the Commission in RST order and the comparison is out of place and inaccurate as it compares actual Open Access sales of H1 of FY 2022-23 (approved in Additional Surcharge order for H1 of FY 2023-24) and estimated Open Access sales approved in RST for FY 2023-24. Such inaccurate assessment shall not to be considered.

**Commission's View**

- 3.10.5 The Commission has taken note of the submissions of stakeholders and TSDISCOMs. The Open Access sales considered for Additional Surcharge computation is dealt in Chapter-4.

### 3.11 PROPOSED ADDITIONAL SURCHARGE FOR H2 OF FY 2023-24

#### **Stakeholder's Submission**

3.11.1 Based on the available data on record the stakeholder has computed the allowable Additional Surcharge for H2 of FY 2023-24, as follows:

**Table 3-3: Additional Surcharge as per Objector's Assessment**

Sl. No.	Particulars	Unit	Petitioner's claim	As per objector's assessment
A	Long Term Available Capacity	MW	9191.58	9191.58
B	Capacity stranded due to open Access	MW	47.42	47.42
C	Fixed Charges paid	Rs.crore	6574.36	4918.73
D=C/A	Fixed Charge per MW	Rs.crore/MW	0.72	0.54
E=D*B	Fixed Charge for Stranded Capacity	Rs.crore	33.92	25.38
F	Transmission Charge Paid	Rs.crore	2483.71	2483.71
G	Actual Energy Scheduled	MU	39635.68	39635.68
H=F/G	Transmission Charges per unit	Rs./kWh	0.63	0.63
I	Distribution Charges as per Tariff Order	Rs./kWh	0.18	0.18
J=H+I	Total Transmission and Distribution charges per unit	Rs./kWh	0.81	0.81
K	Energy consumed by Open Access consumers from DISCOM	MU	-	1970.66
L=K*J	Transmission and distribution charges to be paid by open access consumers	Rs.crore	10.40	158.96
M	Demand charges recovered by TSDISCOMs from Open Access consumers	Rs.crore	-	205.69
N=M-L	Demand charges to be adjusted	Rs.crore	-	46.73
O=E-N	Net stranded charges recoverable	Rs.crore	44.31	-21.35
P	Open access sales	MU	129.14	388.25
Q=O/P	Additional surcharge computed	Rs./kWh	3.43	-

3.11.2 As such, there is no case for levy of Additional Surcharge on Open Access consumers in the State as the Demand Charges to be adjusted i.e., Rs.46.73 crore is already being in excess as compared to the computed Fixed Charges for stranded capacity i.e., Rs.25.38 crore.

3.11.3 Another stakeholder has suggested the following factors to be considered for computation of Additional Surcharge.

- Revenue recovered from HT consumers in the form of Demand charges: HT consumer continues to pay demand charges while sourcing power through Open Access.
- Network costs should not included in the Additional Surcharge computation: inclusion of Network costs in Additional Surcharge amounts to double recovery as the Open Access consumers pay for Tax, wheeling charges while availing Open Access.

**Table 3-4: Computation of Additional Surcharge based on Tariff Order data FY 2022-23.**

Sl. No.	Particulars	Units	
1	Average Stranded Capacity due to Open Access consumers (Oct 22- March 23)	MW	47.42
2	Average fixed cost attributable to Generation – Page 278 of the TO FY 2022-23)	Rs./kVA/month	651
3	Demand charges paid by the HT consumer	Rs./kVA/month	475
4	Un-recovered portion of the fixed cost that is stranded	Rs./kVA/month	176
5	Stranded costs attributable to PP (considering 6 months – Oct22 to March 23)	Rs. in crore	5.01
6	Open Access sales	MU	129.14
7	Hence Stranded cost to be recovered through additional surcharge	Rs./kWh	0.39

3.11.4 (Total fixed costs attributable to all categories of consumers considered – Rs.51/kVA/month)

3.11.5 If the fixed cost is attributable only to HT categories (excluding LI schemes, townships & residential colonies, temporary supply, RESCOs, EVs) the fixed cost works out to Rs.466/kVA/month, which is lesser than the Demand charges of Rs.475/kVA/month – There is no case for levy of Additional Surcharge on HT consumers.

3.11.6 Exchange Purchases and Sales: TSDISCOMs have extensively purchased and sold power on IEX as part of Power procurement process. Details are as under (based on data sourced from Data Service Providers) – Only DAM contracts considered.

- Power sold by TSDISCOMs during the period Oct'22-Mar'23 – 669 MU
- Power purchased by TSDISCOMs during the period Oct'22 – Mar'23 – 2056 MU

3.11.7 In view of the above purchase and sale of power on IEX, the rationale of recovery of stranded costs by TSDISCOMs is not clear.

3.11.8 Hence the Commission may examine the case of recovery of additional surcharge by TSDISCOMs. Also as demonstrated based on the Tariff Order data for FY 2022-23, the maximum value of additional surcharge that can be levied works out to Rs.0.39/kWh.

### ***Response of TSDISCOMs***

3.11.9 TSDISCOMs have responded to the item-wise objections raised by the objector, in the respective sections, and would request the Commission to consider the computations done by TSDISCOMs, considering the justifications shared on the same.

- 3.11.10 Having said that, Commission in its Orders dated 24.12.2021 and 22.03.2022, had recognized the importance of promoting competition as enshrined in the Electricity Act, and had duly limited the final approved Additional Surcharge, in the interest of all the stakeholders.
- 3.11.11 The objector has considered the transmission charges by omitting the ISTS charges, fixed charges by omitting the NTECL Vallur and NLC Tamil Nadu, hence the Additional Surcharge computed by the objector, is improper.
- 3.11.12 TSDISCOMs have requested the Commission to revise the methodology for computation of Additional Surcharge as there has been substantial divergence from the original methodology. The original methodology has changed significantly from its finalization in the O.P.No.23 of 2020 dated 18.09.2020.
- 3.11.13 Considering that there have been significant changes in the original methodology and these changes have affected TSDISCOMs financially, TSDISCOMs have proposed a new methodology to the Commission to amend the original methodology approved in the O.P.No.23 of 2020 to recover the total fixed cost commitments of TSDISCOMs in line with the section 42(4) of the Electricity Act, 2003.

#### ***Commission's View***

- 3.11.14 The submissions of stakeholders and TSDISCOMs are taken note of and the computation of Additional Surcharge is discussed in Chapter-4.

### **3.12 THE PROPOSED ADDITIONAL SURCHARGE IS HIGH**

#### ***Stakeholder's Submission***

- 3.12.1 TSDISCOMs has proposed an additional surcharge which is too high to be reflective of the stranded obligations of TSDISCOMs and if imposed may lead to disproportionately high recoveries and highly uncompetitive as compared to other States.
- 3.12.2 TSDISCOMs are consistently claiming higher number pertaining to Additional Surcharge despite of the fact that Commission in line with the prudent principles has consistently approved a lower value pertaining to Additional Surcharge.
- 3.12.3 Despite clear provision allowing levy of Additional Surcharge only when existing power purchase commitments has been and continues to be stranded due to



Open Access, there is an inverse trend of increasing Additional Surcharge with decreasing Open Access sales. The same trend is represented in tabular form below:

**Table 3-5: Increasing trend of Additional Surcharge with decreasing Open Access sales**

Particulars	Units	Additional Surcharge Order H1 2022-23	Additional Surcharge Order H2 2022-23	Additional Surcharge Order H1 2023-24	Additional Surcharge Order H2 2023-24
Open Access sales	MU	645.90	370.34	213.29	129.14
Claimed by the petitioner	Rs./Unit	4.06	6.81	9.86	3.43
Determined Additional Surcharge by the Commission	Rs./Unit	3.48	1.38	0.39	NA
Approved Additional Surcharge by the Commission	Rs./Unit	1.15	1.38	0.39	NA

3.12.4 It must be pointed out that the high Additional Surcharge claims is attributable to the following factors:

- Low Open Access sales
- High stranded capacity
- Poor procurement portfolio - greater exposure to expensive long term PPAs.

3.12.5 There is no scope of determination of any Additional Surcharge as the Electricity Rules, 2022 in Section 13 defined 20% capping as follows:

*“The surcharge, determined by the State Commission under clause (a) of sub-section (1) of Section 86 of the Electricity Act, 2003 shall not exceed twenty per cent of the average cost of Supply.*

Already the CSS determined by this Commission was capped at 20% of Average Cost of Supply (ACoS)”.

#### **Response of TSDISCOMs**

3.12.6 The Additional Surcharge is computed for H2 of FY 2023-24 based on the proposal for amendment to the existing methodology addressed to the Commission vide letter dated 24.04.2023 in addition to the directions issued in the Additional Surcharge order for H1 of FY 2023-24 by TSERC dated 20.03.2023.

- 3.12.7 The approved Additional Surcharge in all States is higher than the approved Additional Surcharge for H1 of FY 2023-24 in Telangana (Rs.0.39/kWh) by a range of 92% to 380%.
- 3.12.8 The Electricity Rules, 2022 in Section 13 defined 20% capping as follows:  
*“The surcharge, determined by the State Commission under clause (a) of sub-section (1) of section 86 of the Electricity Act, 2003 shall not exceed twenty per cent of the average cost of Supply.”*
- 3.12.9 Hence, it can be noticed that the Electricity Amendment Rules, 2022 does not specify the type of Surcharge, whether the 20% limit is for Additional Surcharge or surcharge relating to CSS.
- 3.12.10 The Commission in its order in O.P.No.23 of 2020 (pg 12) opined that the methodology of Additional Surcharge computation was approved in the Order dated 13.12.2017 in I.A Nos.22 & 23 of 2017 in O.P.Nos.22 &23 of 2016, respectively (Additional Surcharge Order for FY 2017-18) and the same have attained finality. The Commission while determining Additional Surcharge for H1 of FY 2023-24 have also considered the same methodology.
- 3.12.11 Having said that, Commission in its Orders dated 24.12.2021 and 22.03.2022, had recognized the importance of promoting competition as enshrined in the Electricity Act, 2003 and had duly limited the final approved Additional Surcharge, in the interest of all the stakeholders.
- 3.12.12 The additional surcharge approved by Commission for H1 FY 2023-24 was very low (Rs.0.39/kWh) due to significant changes in the additional surcharge methodology. Such low computation of additional surcharge despite the higher claims has negative financial bearing on TSDISCOMs.
- 3.12.13 Hence, it is requested that existing methodology maybe amended to ensure that TSDISCOMs are appropriately compensated for the payments towards stranded capacities, as it has been proposed by TSDISCOMs.
- 3.12.14 TSDISCOMs derived the Additional Surcharge for H1 of FY 2023-24 in consonance with the methodology approved by the Commission in its order dated 18.09.2020 in O.P.No.23 of 2020.
- 3.12.15 The Commission in its Orders dated 24.12.2021 and 22.03.2022, had recognized the importance of promoting competition as enshrined in the

Electricity Act, 2003 and had duly limited the final approved Additional Surcharge, in the interest of all the stakeholders.

- 3.12.16 The stranded capacity has also reduced due to reduction in Open Access sales. The Additional Surcharge is calculated by considering the fixed charges for the stranded capacity of the respective periods. However, in the proposed methodology for H2 of FY 2023-24, the Additional Surcharge will be considerably lower in proportion to the lower Open Access sales.

#### **Commission's View**

- 3.12.17 The submissions of the stakeholders and TSDISCOMs are taken note of. The analysis and conclusion on determination of Additional Surcharge for H2 of FY 2023-24 is dealt in Chapter-4.

### **3.13 EXEMPTION FROM LEVY OF ADDITIONAL SURCHARGE FOR GREEN ENERGY OPEN ACCESS CONSUMERS**

#### **Stakeholder's Submission**

- 3.13.1 The Commission has expressed following view in respect of Additional Surcharge orders related to H2 of FY 2022-23:

*"The Commission takes note of the submission of the stakeholder on the applicability of AS on Green Energy Open Access Consumers as per the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022. In terms of Rule 5(1) of the said Rules, 2022 the Commission is in the process of amending the relevant regulations."*

- 3.13.2 Requests were made to expedite the process as delays in making amendments would cause irreparable damage to the green generators and further adding up to existing litigations with TSDISCOMs. Several other State Electricity Regulatory Commissions have already published final amendment Open Access regulations to effect the Electricity Rules, 2022 dated 06.06.2022 which are as given below:

Relevant clauses of Punjab State Electricity Regulatory Commission (PSERC) order dated 31.05.2023, which was passed to give effect to the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 dated 06.06.2022.

Following new provisos shall be added after 1<sup>st</sup> proviso of Regulation 27(2) of the Principal Regulations:

"... .."

*Provided that consumers including green energy open access consumers taking open access over and above the sanctioned contract demand as per the provisions of Regulation 31(2) of the PSERC OA Regulations, 2011 shall be liable to pay Additional Surcharge as payable by Full open access consumers for availing open access beyond the contract demand maintained with the distribution licensee as determined by the Commission under these Regulations."*

- 3.13.3 Orders and interpretations of various Commissions is that fixed charges means only fixed charges determined by respective State Regulatory Commission and collected by distribution utilities independent of actual fixed costs of distribution utilities.
- 3.13.4 TSDISCOMS have so far made proposals for levy of Additional Surcharge for various Half Years without any exemption to Green Energy Open Access consumers in line with Electricity Rules, 2022, dated 06.06.2022. While Rule 5(1) of the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 imposes a duty on the Appropriate Commission to amend the relevant regulations made by it, ensuring that they are consistent with these rules. As such, the said rules shall come into force on the date of their publication in the Official Gazette, i.e., 06.06.2022. Despite this, the Commission had passed multiple orders without regard to these rules but with the above-mentioned view.
- 3.13.5 To prevent solar generators from being burdened due to administrative delays in the Commission's administrative functions, this Commission should pass an Additional Surcharge exemption for solar projects until the relevant regulations are amended duly instructing TSDISCOMs to refund all Additional Surcharge levies made so far from 06.06.2022 as it is a legitimate right to seek exemption from date the Rules come into force. Otherwise, Open Access solar developers will be left with no choice than to seek necessary judicial intervention towards exemption/refund.

#### ***Response of TSDISCOMs***

- 3.13.6 Sub-section (2) of Section 42 of the Electricity Act, 2003 mentions that –
- “Provided that such open access shall be allowed on payment of a surcharge in addition to the charges for wheeling as may be determined by the State Commission:”*
- 3.13.7 Further, Sub-section (4) of Section 42 also highlights the need of additional

surcharge by stating:

“4) *Where the State Commission permits a consumer or class of consumers to receive supply of electricity from a person other than the distribution licensee of his area of supply, such consumer shall be liable to pay an additional surcharge on the charges of wheeling, as may be specified by the State Commission, to meet the fixed cost of such distribution licensee arising out of his obligation to supply.*”

3.13.8 Hence the Electricity Act, 2003 identifies the need for compensating distribution licensees by levying additional surcharge in case consumers switches to alternate supplies under Open Access. As identified by the policymakers through the mandates of the Electricity Act, 2003, removing additional surcharge would result in licensees having to bear excessive fixed costs associated with PPAs signed for long-term durations (25 years) on account of stranded capacity due to the switching of existing consumers. The additional surcharge helps in assuaging TSDISCOMs financial worries. Removing of such charges would put TSDISCOMs under pressure.

3.13.9 The Rules cannot supersede the Electricity Act, 2003 passed by the parliament, and hence without appropriate modifications in the Electricity Act, 2003, such Rules may not have legislative support.

#### ***Commission's View***

3.13.10 The submissions of stakeholders and TSDISCOMs are taken note of. The Commission is of the view that the applicability of Additional Surcharge for the Green Energy Open Access consumers shall be as per the Terms and conditions of Open Access Regulation as notified by the Commission from time to time.

### **3.14 OTHER MATTERS**

#### ***Stakeholder's Submission***

3.14.1 Exemption of Cross Subsidy Surcharge (CSS) for the Solar power Projects.

3.14.2 Any other tax should be exempted.

#### ***Response of TSDISCOMs***

3.14.3 These are not relevant to the present matter of Additional Surcharge.

#### ***Commission's View***

3.14.4 Exemption of cross subsidy surcharge and other taxes are not under ambit of



this petition for determination of Additional Surcharge for H2 of FY 2023-24.



## Chapter-4

### Analysis and Conclusion on Determination of Additional Surcharge for H2 of FY 2023-24

#### 4.1 LONG TERM AVAILABILITY AND CAPACITY STRANDED DUE TO OPEN ACCESS

- 4.1.1 On prudent check of TSDISCOMs 15-minute time-block data for the period from Oct'22 to Mar'23, the Commission noticed that TSDISCOMs have taken average of the 15-minute time block data day-wise, month-wise and thereafter for 6 months' period. As per the approved methodology, intermittent averages are not to be done. Accordingly, the Commission approves the long-term available capacity by taking average of the 15-minute time block data for entire 6 months' period as 9198.60 MW as against the claim of 9191.58 MW.
- 4.1.2 Further, the Commission observes that TSDISCOMs have purchased the energy under short-term purchases and also sold surplus power in the market during certain time blocks when there is an availability of surplus capacity. Hence the stranded capacity is arrived at by netting of such short-term purchases, and sale of surplus power in each time block from available surplus power and approved the capacity stranded due to Open Access as 46.22 MW against 47.42 MW as detailed below:

**Table 4-1: Approved Stranded Capacity**

Particular (in MW)	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Average for six (6) months period
Available capacity	10712.13	8686.20	8574.67	8979.65	9067.35	9142.35	<b>9198.60</b>
Scheduled Capacity	7029.50	7135.94	7756.70	8517.33	9025.43	7999.25	<b>7896.57</b>
Gross (Deficit)/Surplus	2582.15	1225.68	717.78	442.46	176.78	1117.92	<b>1057.09</b>
Short-term Purchase Capacity	136.52	338.36	1102.46	1413.60	2261.62	2791.20	<b>1330.95</b>
Deficit/(Surplus) after netting of Short-term purchases	2445.62	979.02	535.99	184.93	48.71	241.20	<b>749.31</b>
Open Access Scheduled Capacity	94.90	94.17	74.58	55.01	50.14	39.09	<b>68.13</b>
Approved stranded Capacity	<b>94.25</b>	<b>80.91</b>	<b>37.82</b>	<b>40.73</b>	<b>10.08</b>	<b>11.17</b>	<b>46.22</b>

#### 4.2 FIXED CHARGES FOR STRANDED CAPACITY

- 4.2.1 TSDISCOMs have claimed the fixed charges paid as Rs.6574.36 crore for the period from Oct'22 to Mar'23. The Commission noted that the Fixed Charges incurred by TSDISCOMs for entire FY 2022-23 as Rs.11289.12 crore. The Commission has already considered Rs.5589.64 crore while determining the

Additional Surcharge for H1 of FY 2023-24. Hence balance amount of Rs.5699.48 crore is considered towards fixed cost of TSDISCOMs for H2 of FY 2023-24. Thus, the average fixed charges workout to Rs.0.62 crore/MW.

4.2.2 Accordingly, the fixed charges for stranded capacity has been computed as Rs.28.64 crore (i.e., 46.22 MW x Rs.0.62 crore/MW).

4.2.3 TSDISCOMs requested the Commission to consider any variation in fixed charges for the period from Oct'22 to Mar'23, in the final audited accounts, in the ensuing filings of Additional Surcharge. The Commission allows TSDISCOMs to separately indicate the variation in fixed cost for the period from Oct'22 to Mar'23, if any, in the ensuing filings of Additional Surcharge, and to submit the detailed justification for variation in fixed charges. The Commission shall take a view on considering the same based on the submissions.

#### **4.3 TRANSMISSION CHARGES AND ACTUAL ENERGY SCHEDULED**

4.3.1 TSDISCOMs have claimed the transmission charges of Rs.2483.71 crore for the period from Oct'22 to Mar'23 and the Commission has considered the same.

4.3.2 The scheduled energy claimed for the period is 39635.68 MU. The Commission noted that the total energy scheduled for TSDISCOMs for FY 2022-23 is 75311.05 MU. The Commission has considered 35288.87 MU while determining the Additional Surcharge for H1 of FY 2023-24. Hence balance energy of 40022.18 MU is considered as scheduled energy of TSDISCOMs for H2 of FY 2022-23.

4.3.3 Accordingly, the transmission charges per unit has been worked out as Rs.0.62/kWh against a claim of Rs.0.63/kWh.

#### **4.4 DISTRIBUTION CHARGES**

4.4.1 The Commission has worked out the distribution charges of Rs.0.18/kWh by considering distribution charges of HT network (other than LT network) i.e., 11 kV and 33 kV as detailed below:

**Table 4-2: Distribution Charges considered**

Half (½) of the Distribution cost as per fourth MYT Distribution Tariff Order read with its amendment order dt 01.03.2021 by considering ARR less NTI.	(a)	Rs.4158.89 crore
Actual scheduled capacity for H2 FY 2022-23	(b)	40022.18 MU

Total Distribution charges as per Tariff Order	(c)=a/b	Rs.1.039/kWh
Distribution charges other than LT (i.e., 11 kV and 33 kV) as per MYT Distribution Tariff Order read with its amendment order	(d)	Rs.1414.42 crore
Percentage of other than LT distribution cost (i.e., for 11 kV and 33 kV) in total distribution cost as per MYT Distribution Tariff Order	(e)=(1/2xd)/a	17.005%
Distribution charges as per Tariff Order considered by Commission for Additional Surcharge calculation	(f)=e-c	Rs.0.18/kWh

#### 4.5 TRANSMISSION AND DISTRIBUTION CHARGES PAYABLE BY OPEN ACCESS CONSUMERS

4.5.1 Based on the above, the total transmission and distribution charges per unit workout to Rs.0.80/kWh (Rs.0.62/kWh + Rs.0.18/kWh).

4.5.2 The energy consumed by Open Access consumers from TSDISCOMs, as given in their additional information, is 1725.94 MU and the Commission has considered the same.

4.5.3 The transmission and distribution charges payable by the Open Access consumers workout to Rs.137.61 crore.

#### 4.6 DEMAND CHARGES RECOVERED BY TSDISCOMS FROM OPEN ACCESS CONSUMERS

4.6.1 The demand charges recovered by TSDISCOMs from Open Access consumers is Rs.186.29 crore. The Commission opines that it is appropriate to exclude the revenue recovery pertaining to LT network since the distribution charges of LT network is not considered on the expenditure side. Accordingly, the Commission has considered Rs.140.06 crore as demand charges by excluding the recovery portion of LT network cost as detailed in table below:

**Table 4-3: Net Demand Charges recovered by TSDISCOMs from Open Access consumers**

(A)	Total Demand charges Recovered		Rs.186.29 crore
(B)=29.90%*(A)	Distribution Cost recovery percentage in demand Charges as per Tariff Order values	29.90%	Rs.55.71 crore
(C)=83%(B)	LT Network cost recovery percentage in Distribution Cost	83.00% (1-17.00%)	Rs.46.23 crore
(D)=(A-C)	Net demand charges (excluding LT network cost recovery) considered in Additional Surcharge calculations		Rs.140.06 crore

**TSDISCOMs are directed to consider total demand charges recovered for HT network only i.e., by excluding LT network cost recovery in their future Additional Surcharge filings.**

4.6.2 Thereby the excess recovery is to the tune of Rs.2.45 crore (Rs.140.06 crore - Rs.137.61 crore)

#### **4.7 NET STRANDED CHARGES**

4.7.1 Based on the above, the net stranded charges works out to Rs.26.19 crore (i.e., 28.64 - 2.45).

#### **4.8 OPEN ACCESS SALES**

4.8.1 Initially, in the filings TSDISCOMs have claimed the Open Access sales as 129.14 MU, however, in the additional information, TSDISCOMs have furnished the Open Access sales, other than captive transactions, for the period from Oct'22 to Mar'23 as 132.30 MU. The Commission after prudence check finds the same to be in order and hence considered the same.

#### **4.9 APPROVED ADDITIONAL SURCHARGE FOR H2 OF FY 2023-24**

4.9.1 Based on the approved methodology in order dated 18.09.2020 in O.P.No.23 of 2020, the Commission has determined the Additional Surcharge for H2 of FY 2023-24 as shown in the Table below:

**Table 4-4: Approved Additional Surcharge for H2 of FY 2022-23**

<b>Sl. No.</b>	<b>Particulars</b>	<b>Unit</b>	<b>Approved</b>
{A}	Long term available capacity	MW	9198.60
{B}	Capacity stranded due to open access	MW	46.22
{C}	Fixed Charges paid	Rs.crore	5699.48
{D}={C}÷{A}	Fixed Charges per MW	Rs.crore/MW	0.62
{E}={D}x{B}	Fixed Charges for stranded capacity	Rs.crore	28.64
{F}	Transmission charges paid	Rs.crore	2483.71
{G}	Actual Energy scheduled	MU	40022.18
{H}={F}÷{G}	Transmission charges per unit	Rs./kWh	0.62
{I}	Distribution charges as per Tariff Order	Rs./kWh	0.18
{J}={H}+{I}	Total transmission and distribution charges per unit	Rs./kWh	0.80
{K}	Energy consumed by open access consumers from TSDISCOMs	MU	1725.94
{L}={K}x{J}	Transmission and distribution charges payable by open access consumers	Rs.crore	137.61
{M}	Demand charges recovered by TSDISCOMs from open access consumers	Rs.crore	140.06
{N}={M}-{L}	Demand charges to be adjusted	Rs.crore	2.45
{O}={E}-{N}	Net stranded charges recoverable	Rs.crore	26.19
{P}	Open Access sales	MU	132.30
{Q}={O}÷{P}	<b>Additional Surcharge</b>	<b>Rs./kWh</b>	<b>1.98</b>



4.9.2 Accordingly, the Commission approved the Additional Surcharge for H2 of FY 2023-24 as Rs.1.98/kWh and shall be applicable from 01.10.2023 to 31.03.2024.

4.9.3 Terms & Conditions for levy of Additional Surcharge for H2 of FY 2023-24:

- i. The Additional Surcharge determined by the Commission shall be applicable to the consumers of TSDISCOMs who avail power through Open Access from any source other than their respective TSDISCOMs.
- ii. The Additional Surcharge shall be levied on the quantum of electricity scheduled by such consumers.
- iii. The Additional Surcharge shall not be levied on such Open Access consumers for their captive consumption to the extent of Open Access availed for wheeling power from their own CPPs.
- iv. The applicability of Additional Surcharge for the Green Energy Open Access consumers shall be as per the Terms and conditions of Open Access Regulation as notified by the Commission from time to time.

**This order is corrected and signed on this the 29<sup>th</sup> day of September, 2023.**

<b>Sd/-</b> (BANDARU KRISHNAIAH) MEMBER	<b>Sd/-</b> (M. D. MANOHAR RAJU) MEMBER	<b>Sd/-</b> (T. SRIRANGA RAO) CHAIRMAN
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**//CERTIFIED COPY//**

## **Appendix-A**

### **Schedule of Approved Additional Surcharge**

1. The Additional Surcharge of Rs.1.98/kWh shall be applicable for the period from 01.10.2023 to 31.03.2024.
2. Terms & Conditions for levy of Additional Surcharge for H2 of FY 2023-24:
  - i. The Additional Surcharge determined by the Commission shall be applicable to the consumers of TSDISCOMs who avail power through Open Access from any source other than their respective TSDISCOMs.
  - ii. The Additional Surcharge shall be levied on the quantum of electricity scheduled by such consumers.
  - iii. The Additional Surcharge shall not be levied on such Open Access consumers for their captive consumption to the extent of Open Access availed for wheeling power from their own CPPs.
  - iv. The applicability of Additional Surcharge for the Green Energy Open Access consumers shall be as per the Terms and Conditions of Open Access Regulations as notified by the Commission from time to time.

## **Appendix-B Commission Directives**

### **Old Directives:**

TSDISCOMs are directed to incorporate the following in their future Additional Surcharge filings –

- a) to reflect the stranded capacity after netting of short-term purchases and sale of surplus power by TSDISCOMs, if any, in the corresponding time-block.
- b) to reflect the distribution charges for HT network (other than LT network) i.e., 11 kV and 33 kV.

### **New Directive:**

TSDISCOMs are directed to incorporate the following in their future Additional Surcharge filings –

- c) to consider total demand charges recovered for HT network only i.e., by excluding LT network cost recovery towards demand charges recovered by TSDISCOMs from the open access consumers.

# Annexure-I Public Notice

## Newspaper clippings appeared in Namasthe Telangana and Mana Telangana on 11.07.2023

**గౌరవనీయమైన తెలంగాణ రాష్ట్ర విద్యుత్ నియంత్రణ మండలి వారి సమక్షంలో**  
**ఇంటి నం.11-4-660, 5వ అంతస్తు, సింగరేణి భవన్, రెడ్ హిల్స్, లక్ష్మీ-కా-పూల్, హైదరాబాద్-500 004**

<b>దక్షిణ తెలంగాణ విద్యుత్ పంపిణీ సంస్థ (TSSPDCL)</b>	<b>ఉత్తర తెలంగాణ విద్యుత్ పంపిణీ సంస్థ (TSNPDCL)</b>																																																																																					
<b>బహిరంగ ప్రకటన</b> <p>1. ఇందు మూలంగా దక్షిణ తెలంగాణ విద్యుత్ పంపిణీ సంస్థ (TSSPDCL) పరిధిలోని యావన్మండలి తెలియజేయునది ఏమనగా ప్రభుత్వ యాజమాన్యంలోని డిస్ట్రిబ్యూషన్ మరియు రిటైల్ సప్లయ డైవిజన్ నెం.13/2000 తేదీ: 29-12-2000 కలిగి ఉన్న దక్షిణ తెలంగాణ విద్యుత్ పంపిణీ సంస్థ (TSSPDCL), తెలంగాణ రాష్ట్ర విద్యుత్ నియంత్రణ మండలి (TSERC) ముందు FY 2023-24 యొక్క రెండవ అర్థభాగానికి H2 కోసం అదనపు సర్ చార్జీని దాఖలు చేయడమైనది. ఈ దాఖలాలను ఒ.పి.నెం.15/2023 &amp; ఐ.ఎ.నెం.02/2023లో గౌరవనీయమైన కమిషన్ వారంచే నమోదు చేయబడ్డాయి.</p> <p>2. పైన 1వ పేరాలో సూచించిన దాఖలాల కాపీలు చీఫ్ జనరల్ మేనేజర్ (ఆఫీసి), పంపిణీ సంస్థ ప్రధాన కార్యాలయం, టిఎన్ఎస్ఐడిసిఎల్ కార్పొరేట్ ఆఫీస్, ప్లస్ ఫోర్, మింట్ కాంపౌండ్, హైదరాబాద్-500063 మరియు బజాజ్ హిల్స్, హైదరాబాద్ (సౌత్), హైదరాబాద్ (సెంట్రల్), మేధూల్, సైబర్సిటీ, హాఫీగూడ, సికింద్రాబాద్, రాజేంద్రనగర్, సురూరనగర్, వికారాబాద్, మహబూబ్ నగర్, గద్వాల, నాగోకర్పూల్, నారాయణపేట్, వనపర్తి, మెదక్, సిద్దిపేట్, సంగారెడ్డి, నల్గొండ, యాదాద్రి మరియు సూర్యాపేట జురేషన్ సర్కిల్స్లో ఉన్న సూపరింటెండింగ్ ఇంజనీర్ కార్యాలయాల వద్ద అందుబాటులో ఉన్నాయి. ఈ ప్రతిపాదనలు <a href="http://www.tssouthernpower.com">www.tssouthernpower.com</a> మరియు <a href="http://www.tserc.gov.in">www.tserc.gov.in</a>లో అందుబాటులో ఉన్నాయి. ఆసక్తి గల వ్యక్తులు పైన పేర్కొన్న దాఖలాలను ఏదైనా కార్యాలయం వద్ద కార్యాలయ పని వేళలలో ఉచితంగా పరిశీలించవచ్చును. ఈ దాఖలాల ప్రతులను 11-07-2023 నుండి వై కార్యాలయాల నుండి ఫోటో కాపీ ఛార్జీల చెల్లింపుపై పొందవచ్చు.</p> <p>3. అభ్యంతరాలు/సూచనలు, ఏవైనా ఉంటే, అదనపు సర్చార్జీ దాఖలాలపై సహాయక మెటీరియల్తోపాటు చీఫ్ జనరల్ మేనేజర్ (ఆఫీసి) గారికి, ప్రధాన కార్యాలయం, టిఎన్ఎస్ఐడిసిఎల్ కార్పొరేట్ ఆఫీస్, ప్లస్ ఫోర్, A-బ్లాక్, మింట్ కాంపౌండ్, హైదరాబాద్-500063కు వ్యక్తిగతంగా లేదా రిజిస్టర్డ్ పోస్టాల్ ద్వారా 02-08-2023 సా. 5.00గం.లలోపు పంపాలరు. దాని కాపీని పైన పేర్కొన్న దిరునామాలో కమిషన్ సెక్రటరీ, TSERC వారికి కూడా సమర్పించాలి. అభ్యంతరాలు/సూచనలు నివేదించు వారు వారి సంఠకము(లు) మరియు పూర్తి పేరు, పోస్టల్ దిరునామా, ఇ-మెయిల్ ఐడి మరియు సంప్రదింపు నంబర్ పొందవచ్చుగలరు. ఏదైనా సంస్థ లేదా వినయోగదారుల వర్గం తరపున అభ్యంతరాలు/సూచనలు దాఖలు చేయబడితే, అది సుస్పృహగా పేర్కొనవలెను. అభ్యంతరదారు(లు) వ్యక్తిగతంగా వినయోగదారులకుంటే ప్రత్యేకంగా పేర్కొనవలెను. అభ్యంతరాలు/సూచనలను ఈ క్రింది తెలుసుబడిన పట్టికలో పొందుపర్చి జతపర్చవలెను.</p>	<b>బహిరంగ ప్రకటన</b> <p>1. ఇందు మూలంగా ఉత్తర తెలంగాణ విద్యుత్ పంపిణీ సంస్థ (TSNPDCL) పరిధిలోని యావన్మండలి తెలియజేయునది ఏమనగా ప్రభుత్వ యాజమాన్యంలోని డిస్ట్రిబ్యూషన్ మరియు రిటైల్ సప్లయ డైవిజన్ నెం.14/2000 తేదీ: 29-12-2000 కలిగి ఉన్న ఉత్తర తెలంగాణ విద్యుత్ పంపిణీ సంస్థ (TSNPDCL), తెలంగాణ రాష్ట్ర విద్యుత్ నియంత్రణ మండలి (TSERC) ముందు FY 2023-24 యొక్క రెండవ అర్థభాగానికి H2 కోసం అదనపు సర్ చార్జీని దాఖలు చేయడమైనది. ఈ దాఖలాలను ఒ.పి.నెం.16/2023 &amp; ఐ.ఎ.నెం.03/2023లో గౌరవనీయమైన కమిషన్ వారంచే నమోదు చేయబడ్డాయి.</p> <p>2. పైన 1వ పేరాలో సూచించిన దాఖలాల కాపీలు చీఫ్ జనరల్ మేనేజర్ (ఆఫీసి &amp; RAC) పంపిణీ సంస్థ ప్రధాన కార్యాలయం, హనుమకొండ (TSNPDCL, ఇంటి నెం. 2-5-31/2, విద్యుత్ భవన్, నక్కలగుట్ట, హనుమకొండ-506001) మరియు వరంగల్, హనుకొండ, మహబూబాబాద్, జయశంకర్ (భూపాలపల్లి), జనగాం, కరీంనగర్, జగిత్యాల, పెద్దపల్లి, నిజామాబాద్, కామారెడ్డి, ఖమ్మం, భద్రాద్రికోత్తగూడెం, ఆదిలాబాద్, నిర్మల్, మంచిర్యాల మరియు కొమరంభీం (ఆసిఫాబాద్) ఆఫీసర్ సర్కిల్స్లో ఉన్న సూపరింటెండింగ్ ఇంజనీర్ కార్యాలయాల వద్ద అందుబాటులో ఉన్నాయి. ఈ ప్రతిపాదనలు <a href="http://www.tsnpdcl.in">www.tsnpdcl.in</a> మరియు <a href="http://www.tserc.gov.in">www.tserc.gov.in</a>లో అందుబాటులో ఉన్నాయి. ఆసక్తి గల వ్యక్తులు పైన పేర్కొన్న దాఖలాలను ఏదైనా కార్యాలయం వద్ద కార్యాలయ పని వేళలలో ఉచితంగా పరిశీలించవచ్చును. ఈ దాఖలాల ప్రతులను 11-07-2023 నుండి వై కార్యాలయాల నుండి ఫోటో కాపీ ఛార్జీల చెల్లింపుపై పొందవచ్చు.</p> <p>3. అభ్యంతరాలు/సూచనలు, ఏవైనా ఉంటే, అదనపు సర్చార్జీ దాఖలాలపై సహాయక మెటీరియల్తోపాటు చీఫ్ జనరల్ మేనేజర్ (ఆఫీసి &amp; RAC) గారికి, ప్రధాన కార్యాలయం, హనుమకొండ (TSNPDCL, ఇంటి నెం. 2-5-31/2, విద్యుత్ భవన్, నక్కలగుట్ట, హనుమకొండ-506001) వ్యక్తిగతంగా లేదా రిజిస్టర్డ్ పోస్టాల్ ద్వారా 02-08-2023 సా. 5.00గం.లలోపు పంపాలరు. దాని కాపీని పైన పేర్కొన్న దిరునామాలో సెక్రటరీ, TSERC వారికి కూడా సమర్పించాలి. అభ్యంతరాలు/సూచనలు నివేదించు వారు వారి సంఠకము(లు) మరియు పూర్తి పేరు, పోస్టల్ దిరునామా, ఇ-మెయిల్ ఐడి మరియు సంప్రదింపు నంబర్ పొందవచ్చుగలరు. ఏదైనా సంస్థ లేదా వినయోగదారుల వర్గం తరపున అభ్యంతరాలు/సూచనలు దాఖలు చేయబడితే, అది సుస్పృహగా పేర్కొనవలెను. అభ్యంతరదారు(లు) వ్యక్తిగతంగా వినయోగదారులకుంటే ప్రత్యేకంగా పేర్కొనవలెను. అభ్యంతరాలు/సూచనలను ఈ క్రింది తెలుసుబడిన పట్టికలో పొందుపర్చి జతపర్చవలెను.</p>																																																																																					
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(A)	దీర్ఘకాలిక సామర్థ్య లభ్యత	మె.వా.	9,191.58																																																																																			
(B)	ఓపెన్ యాక్సెస్ కారణంగా స్టాండెడ్ సామర్థ్యం	మె.వా.	47.42																																																																																			
(C)	చెల్లించిన సర్ చార్జీలు	రూ.కోట్లలో	6,574.36																																																																																			
(D) = (C) + (A)	స్థిర ఛార్జీ/మె.వా.	రూ.కోట్లలో	0.72																																																																																			
(E) = (D) x (B)	స్టాండెడ్ సామర్థ్య కోరకు స్థిర ఛార్జీ	రూ.కోట్లలో	33.92																																																																																			
(F)	చెల్లించిన ట్రాన్సిమిషన్ ఛార్జీలు	రూ.కోట్లలో	2,483.71																																																																																			
(G)	వాస్తవ షెడ్యూల్డ్ ఎనర్జీ	మె.యూ.	39,635.68																																																																																			
క్రమ సంఖ్య	వివరాలు	యూనిట్	విలువ																																																																																			
(H) = (F) + (G)	ట్రాన్సిమిషన్ ఛార్జీలు/యూనిట్	రూ./kWh	0.63																																																																																			
(I)	టారిఫ్ అర్థం ప్రకారం పంపిణీ ఛార్జీలు	రూ./kWh	0.18																																																																																			
(J) = (H) + (I)	మొత్తం ట్రాన్సిమిషన్ మరియు డిస్ట్రిబ్యూషన్ ఛార్జీలు/యూనిట్కు	రూ./kWh	0.81																																																																																			
(K)	ఓపెన్ యాక్సెస్ అమ్మకాలు	మె.యూ.	129.14																																																																																			
(L) = (K) x (J) x 1/10	ఓపెన్ యాక్సెస్ వినయోగదారులు చెల్లించవలసిన ట్రాన్సిమిషన్ మరియు డిస్ట్రిబ్యూషన్ ఛార్జీలు	రూ.కోట్లలో	10.4																																																																																			
(M) = (E) + (L)	వసూలు చేయవలసిన నికర స్టాండెడ్ ఛార్జీలు	రూ.కోట్లలో	44.32																																																																																			
	డిమాండ్ ఛార్జీలు																																																																																					
(N) = (M) x 10 x (K)	అదనపు సర్ చార్జీ	రూ./kWh	3.43																																																																																			
<b>DIPR RO.No. 4103-PP/CL/ADVT/1/2023-24, Dt: 10-07-2023</b>																																																																																						







## Annexure-II

### List of Stakeholders who submitted written Objections/Suggestions

Sl. No.	Name and address of the stakeholder
<b>Received within Due date i.e., by 02.08.2023</b>	
1	Sri Jogendra Behera, CRO & VP (Regulatory & Market Economics), Indian Energy Exchange Limited (IEX), Plot No.C-001/A/1, 9 <sup>th</sup> Floor, Max Towers Sector 16B, Noida, Uttar Pradesh 201 301.
2	The Federation of Telangana Chambers of Commerce and Industry (FTCCI), Federation House, Federation Marg, 11-6-841, Red Hills, Hyderabad 500 004.
3	Telangana Iron & Steel Manufactures Association (TISMA), Flat No.101, 1 <sup>st</sup> Floor, Satya Sarovar Apartment, Ghansi Bazar, Near High Court, Hyderabad 500 002.
4	The Telangana Spinning & Textile Mills Association (TSTMA), Surya Towers, 1 <sup>st</sup> Floor, Sardar Patel Road, Secunderabad 500 003.
5	Telangana Solar Open Access Developers Association (TSOADA), #8-3-224/4/A, Pt No.11&12. Sy.No.01, Room No.412, Madhuranagar, Yousufguda, Hyderabad 500 038.
<b>Received after Due date</b>	
6	Sri Siva M Kumar, General Manager – Commercial & Regulatory, M/s SEI, Sriram Power Private Limited, Greenko, Block D, Plot No.13, Sy.No.64 part, Hitech City Layout, Madhapur, Hyderabad 500 081.
7	M/s Arhyama Solar Power Private Limited, #1-8-31 to 41, III Floor, Kapadia Towers, Land Opp to ICICI Bank, Bapubagh Colony, Penderghast Road, Secunderabad 500 003.
8	M/s Bhagyanagar India Limited, Plot No.9/13/1 & P-9/14, I.D.A. Nacharam, Hyderabad 500 076.
9	M/s Bhavana Power Private Limited, # 2-22-1/39/408, Kaylas Kalyan Apartment, Bhagyanagar Colony, Opp. KPHB, Kukatpally, Hyderabad 500 072.
10	M/s Enersol Infra Private Limited, No.270E/A, Road Number 10, Jubilee Hills, Hyderabad 500 033.
11	M/s Fusion Solar Farms Private Limited, Plot No.606, Jubilee Hills, Road No.33, Hyderabad 500 033.
12	M/s Peritus Corporation Private Limited, 601, Cyber Heights, Plot # 13, Road No.2, banjara Hills, Hyderabad 500 034.
13	M/s Sarvotham Care, 1-20-248, Umajay Complex, Rasoolpura, Secunderabad 500 003.
14	M/s Srinivasa Green Energies Private Limited, Flat No.G1, 6-117/A/1781/A, People's Nest, 100 Feet Main Road, Pragathi Nagar, Bachupally (M), Medchal Malkajgiri (Dist.), Hyderabad 500 090.
15	M/s Surana Solar Systems Private Limited, Door No.1-7-4 to 10/C/r, 5 <sup>th</sup> Floor, Surya Towers, SP Road, Secunderabad 500 003.
16	M/s Tropical Flavour (P) Limited, Sy.No.902, 903, Kandukur Post, Srisailam Road, Rangareddy 501 359.
17	M/s Ushodaya Enterprises Private Limited, D.No.6-3-569/3, Eenadu Complex, Somajiguda, Hyderabad 500 082.

**Annexure-III**  
**List of Stakeholders who have participated in the Public Hearing**  
**held on 23.08.2023**

Sl. No.	Name and address of the stakeholder
1	The Federation of Telangana Chambers of Commerce and Industry (FTCCI), Federation House, Federation Marg, 11-6-841, Red Hills, Hyderabad 500 004.
2	Telangana Iron & Steel Manufactures Association (TISMA), Flat No.101, 1 <sup>st</sup> Floor, Satya Sarovar Apartment, Ghansi Bazar, Near High Court, Hyderabad 500 002.
3	The Telangana Spinning & Textile Mills Association (TSTMA), Surya Towers, 1 <sup>st</sup> Floor, Sardar Patel Road, Secunderabad 500 003.
4	Telangana Solar Open Access Developers Association (TSOADA), #8-3-224/4/A, Pt No.11&12. Sy.No.01, Room No.412, Madhuranagar, Yousufguda, Hyderabad 500 038.
5	Sri Siva M Kumar, General Manager – Commercial & Regulatory, M/s SEI, Sriram Power Private Limited, Greenko, Block D, Plot No.13, Sy.No.64 part, Hitech City Layout, Madhapur, Hyderabad 500 081.
6	M/s Bhavana Power Private Limited, # 2-22-1/39/408, Kaylas Kalyan Apartment, Bhagyanagar Colony, Opp. KPHB, Kukatpally, Hyderabad 500 072.
7	M/s Enersol Infra Private Limited, No.270E/A, Road Number 10, Jubilee Hills, Hyderabad 500 033.
8	M/s Sarvotham Care, 1-20-248, Umajay Complex, Rasoolpura, Secunderabad 500 003.
9	M/s Srinivasa Green Energies Private Limited, Flat No.G1, 6-117/A/1781/A, People's Nest, 100 Feet Main Road, Pragathi Nagar, Bachupally (M), Medchal Malkajgiri (Dist.), Hyderabad 500 090.
10	M/s Tropical Flavour (P) Limited, Sy.No.902, 903, Kandukur Post, Srisailam Road, Rangareddy 501 359.
11	M/s Ushodaya Enterprises Private Limited, D.No.6-3-569/3, Eenadu Complex, Somajiguda, Hyderabad 500 082.