

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION,
BHOPAL**

Petition No. P-80/07

Subject : In the matter of MPERC (Terms and Conditions for determination of Tariff for distribution and retail supply of electricity and methods and principles for fixation of charges) Regulation 2006.

ORDER

Dated 22nd January, 2008

Shri P. L. Nene appeared on behalf of M. P. Electricity Consumer Society, Indore.

2 The representative of the petitioner made his submission before the Commission regarding annual revenue requirements and tariff proposals for FY 2008-09. It was submitted by the petitioner that M. P. Electricity Consumer Society may be allowed to participate in the process of scrutiny and validation of ARR and tariff petition. He cited the reference of NGO Prayas indicating that such practice was being followed in Karnataka and Maharashtra. The petitioner raised another issue of making draft of final tariff order available to the consumers and licensees for comments before issue of order.

3 The Director (Tariff) clarified the issues raised by Shri P. L. Nene in the light of relevant sections of the Electricity Act 2003 and M. P. Vidyut Sudhar Adhiniyam 2000. The procedure laid down for determination of tariff and issue of tariff order do not support the contention of the petitioner relating to his participation in the process of scrutiny and validation. However, the Commission invites the suggestions and objections from public through publication in newspapers and conducts a public hearing on all the objections. It was further informed to the petitioner that as per sub-section 4 of 64 of Electricity Act 2003, Appropriate Commission is required to send copy of the tariff order to the Appropriate Government, Authority and the concerned licensee and to the person(s) concerned within 7 days of making the order. At this point, Shri P. L. Nene submitted that he is not contesting the point made about legal provisions but he is simply referring to the practice followed in other Commissions and requested that the same may be adopted by this Commission also.

4 The Commission observed that the legal provisions under the Electricity Act 2003 do not call for mandatory participation of consumer representatives in the process of scrutiny and validation of ARR and tariff proposals. However, the Commission invites suggestions/objections from the public and conducts public hearing before making final tariff order. The Commission will consider informing the stakeholders in case some changes in tariff structure/design etc. which are not even proposed by the licensees are being contemplated in the Commission.

5 The Commission feels no further hearing in the matter. The petition, therefore, stands closed.

(K. K. Garg)
Member (Eng.)

(R. Natarajan)
Member (Eco.)

(Dr. J. L. Bose)
Chairman