

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL**

**Sub:** Petition under section 62(4) of the EA'2003 for suitable modification in Retail supply Tariff Order dated 31st , March, 2017 passed by the Commission in PNo.71/2016 for inclusion of a new tariff category applicable to the primary and middle schools run by Govt. of MP.

**Order**

**Date of motion hearing: 19.12.2017**

**Date of order: 21.12.2017**

- 1. M. P. Power Management Co. Ltd, Jabalpur (MPPMCL) : Petitioners**
- 2. M.P. Madhya KVVCL ,Bhopal (Central Discom)**
- 3. MP Poorv KVVCL, Jabalpur . ( East Discom)**
- 4 MP Paschim KVVCL,Indore. (West Discom)**

Shri Lokesh Malviya , Manager and Shri Manoj Dubey , Advocate appeared on behalf of MPPMCL. Shri Praveen Jain, DGM appeared on behalf of East Discom. Shri Himanshu Saxena, Account Officer appeared on behalf of Central Discom. Shri Kumar Subham, AE and Shri Anant Charue, Law officer appeared on behalf of West Discom.

2. The petitioners have jointly filed the subject petition seeking approval for new tariff category as LV2.3 proposed to be included in Retail supply tariff order for FY2017-18 for Govt. owned middle and primary schools up to 1 kW of load on flat rate basis. It is stated by the petitioner that in the current applicable tariff, each of such school is being billed separately and separate bills are issued to each school for payment. The electricity bill payments of such schools get delayed invariably in the process of verification by school authorities and further get delayed when they are subsequently sent to the Competent authority of the State Govt. for release of payment, who in turn releases the payment on availability of funds only. This often results into accumulation of arrears on such schools and eventually leads to forced disconnections of supply of electricity. The petitioner has stated that in present scenario when the State is planning to extend the electricity connections to all schools in the State as a "State mission", the number of connections are expected to increase over time. The State plans to get the financial assistance, as needed from the "Central School Shikhsa Cell" which can disburse the amount against electricity bills for a cluster of schools from the budget sanctioned. Hence in view of above changing scenario, an urgent need arises on the part of petitioners for providing consolidated bill to school education deptt. of State Govt. for all the Govt. run and owned primary schools.

3. During the motion hearing held on 19/12/2017 the Commission has noted that the matter in the instant petition amounts to review of Retail supply tariff Order for FY2017-18 issued by the Commission on 31.03.2017. A review of a tariff order is admissible as per the clause 1.32 and 1.33 of MPERC (Details to be furnished and fee payable by licensee or generating company for determination of tariff and manner of making application) Regulations 2004. This is given below

**“Review of Tariff Order :**

*1.32 All applications for the review of tariff shall be in the form of petition accompanied by the prescribed fee. A petition for review of tariff can be admitted by the Commission under the following conditions:*

*(a) The review petition is filed within sixty days from the date of the tariff order and*

*(b) It is proved that an error apparent from the records is there.*

*1.33 The Commission on its own, being satisfied that there is a need to review the tariff of any generating company or the licensee, shall initiate the process of review the tariff of any generating company or the licensee in accordance with the procedures set out in MPERC (Conduct of Business) Regulations.”*

4. In light of aforesaid provisions of regulations in place , the Commission observed that petitioner should have filed the instant petition within specified time limit of 60 days from the date of tariff order and now there has been considerable delay in regard to giving effect for intended modification in Retail supply tariff order for FY2017-18 as the financial year is on verge of completion. Besides, the Commission does not find any other sufficient reasons on account of mistake or error apparent on the face of the record or for that matter , discovery of new and important matter or evidence.

5. In view of above , the Commission deemed it appropriate that instant petition is not maintainable and thus disposed of.

**(Alok Gupta)**  
**Member**

**(Dr. Dev Raj Birdi)**  
**Chairman**