

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION

4th and 5th Floor, Metro Plaza, Bittan Market, Bhopal - 462 016



**REVIEW OF THE TRUE-UP ORDER DATED 17.03.2016
REGARDING TRUE UP OF ARR FOR FY 2012-13**

**Petition Nos. 30/2016– MP Poorv Kshetra Vidyut Vitaran Co. Ltd.
34/2016– MP Paschim Kshetra Vidyut Vitaran Co. Ltd.
26/2016– MP Madhya Kshetra Vidyut Vitaran Co. Ltd.**

PRESENT:

Dr. Dev Raj Birdi, Chairman

A.B. Bajpai, Member

Alok Gupta, Member

IN THE MATTER OF:

Review of the Order dated 17.03.2016 regarding True up of ARR for FY 2012-13 for filed by Madhya Pradesh Poorv Kshetra Vidyut Vitaran Company Ltd. (East Discom), Madhya Pradesh Madhya Kshetra Vidyut Vitaran Company Ltd. (Central Discom) and Madhya Pradesh Paschim Kshetra Vidyut Vitaran Company Ltd. (West Discom) under Regulation 40.

Represented amongst others by (Petitioners) –

**MP Poorv Kshetra Vidyut
Vitaran Co. Ltd.
(East Discom)
P.K Singh,
C.E (Commercial)**

**MP Paschim Kshetra
Vidyut Vitaran Co. Ltd.
(West Discom)
P.K. Jain,
A.S.E (TRAC)**

**MP Madhya Kshetra
Vidyut Vitaran Co. Ltd.
(Central Discom)
A.R Verma,
G.M (Commercial)**

ORDER

(Passed on this 13th Day of January 2016)

This order relates to the petition numbers 30/2016, 34/2016 and 26/2016 filed by Madhya Pradesh Poorv Kshetra Vidyut Vitaran Company Ltd., Madhya Pradesh Paschim Kshetra Vidyut Vitaran Company Ltd. and Madhya Pradesh Madhya Kshetra Vidyut Vitaran Company Ltd. respectively (hereinafter referred to as East Discom, West Discom and Central Discom respectively and collectively as petitioners or Distribution Licensees or Discoms) before the Madhya Pradesh Electricity Regulatory Commission (hereinafter referred to as MPERC or the Commission). These petitions have been filed by the Discoms seeking the review of the Commission's order dated 17.03.2016 regarding true up of ARR for FY 2012-13 on the following issues:

- I. Non consideration of the quantum of Energy Sales to unmetered consumers properly*
- II. Review the principles for estimating power purchase quantum at Discoms' periphery and also to take into account the impact of inter Discom UI*
- III. Review of approach for non-consideration of supplementary bills amount of Rs 1102.67 Crore for working out the average variable rate.*
- IV. Non consideration of the appropriate O&M expenses.*
- V. Disallowance in interest on loan.*
- VI. Disallowances in the interest on working capital.*
- VII. Disallowances in the Return on Equity.*
- VIII. Disallowances in admissible depreciation.*
- IX. Non consideration of Bad and Doubtful expenses provisioning.*
- X. Non consideration of Other Expenses and Non-Tariff Income.*
- XI. Non consideration of carrying cost on the revenue gap.*

3. The Discoms have prayed to the Commission as below:

East Discom:

- a) Take the accompanying Review petition of the above Petitioner on record and treat it as complete;
- b) Consider and approve Petitioner's Review petition seeking review of the Petition and amount if any approved may be passed through in next Tariff Order;

- c) Condone any inadvertent omissions/ errors/ shortcomings and permit the Petitioner to add/ change/ modify/ alter portion(s) of this filing and make further submissions as may be required at a later stage; and
- d) Pass such an order as the Hon'ble Commission deems fit and proper as per the facts and circumstances of the case.

West Discom:

- a) Allow this review Petition for reviewing the true-up Order passed by the Commission on 17 March 2016 submitted by Madhya Pradesh Paschim Kshetra Vidyut Vitaran Company Ltd. Indore on record and treat it as complete;
- b) Consider all the submission made by the Petitioner regarding this review Petition;
- c) Condone any inadvertent omissions/ errors/ shortcomings and permit the Petitioner to add/ change/ modify/ alter portion(s) of this filing and make further submissions as may be required at a later stage; and
- d) Pass such an order as the Hon'ble Commission deems fit and proper as per the facts and circumstances of the case.

Central Discom:

- a) Take the accompanying Review petition of MPMKVVCL on record and treat it as complete;
 - b) Condone any inadvertent omissions/ errors/ shortcomings and permit the Petitioner to add/ change/ modify/ alter portion(s) of this filing and make further submissions as may be required at a later stage; and
 - c) Pass such an order as the Hon'ble Commission deems fit and proper as per the facts and circumstances of the case.
4. 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. Further, for filing a review petition before the Commission, the following conditions have to be fulfilled:

(a) Discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or;

(b) on account of some mistake or error apparent on the face of the record or;

(c) any other sufficient reason.

5. The contentions raised in the subject petition for review of the True-up order have been scrupulously scrutinized for establishing the maintainability of the subject petition in light of the aforementioned provisions. The Commission examined the Petitioners' submissions issue-wise to check the ground of "error apparent on the fact of the order" on which review has been demanded.

Issue No. I: Quantum of Energy Sale.

6. East Discom submitted that the energy sale as per Energy Audit report of East Discom was 9891.69 MUs which was claimed in the true-up petition for FY 2012-13 rather than 9870.24 MUs i.e. as per the sum of the sale indicated in the monthly R-15 report. The Commission admitted only 9270.37 MUs and therefore 621.32 MUs were not considered as per the sale indicated in the Energy Audit report.
7. West Discom submitted that the energy sale as per monthly R-15 was 9938.28 MUs which was claimed in the true-up petition. The Commission admitted only 9329.08 MUs and therefore 609.20 MUs were not considered.
8. East and West Discoms submitted that the Commission had considered the supply hours data only of the rural irrigation feeders leaving the data of rural mixed feeders where the supply was given for more duration than the duration of supply to rural irrigation feeders exclusively.
9. East and West Discoms further submitted that the data required by the Commission as per the previous years' true-up orders regarding the supply actually available at the secondary side of 11/0.4 kV DTR and utilized by unmetered agricultural consumers is very voluminous and even such data may not be available with the field units because the meters have not been provided at all the distribution transformers.
10. Central Discom also requested the Commission to consider supply hours on mixed feeder for both urban & rural areas for allowing the sale to unmetered agricultural consumers.

Commissions View:

11. As regards consideration of R-15 monthly/Annual data, the Commission had found R-15 data as legitimate data while carrying out the true up of ARR in previous years and has followed the same in dealing with instant review petition. In regard to considering the supply hours data of rural mixed feeder, the Commission observed that segregation of supply hours between rural agriculture connections and rural domestic connections cannot be made as the same is not being captured separately by the Discoms and supply was being extended to rural consumers through mixed feeders during the period under report.
12. Further, in spite of the fact that Discoms were repeatedly directed by the Commission to submit the data of supply actually available at the secondary side of 11/0.4 kV DTR and utilized by unmetered agriculture consumers, the Discoms have not submitted the same on pretext that requisite data are voluminous and even such data may not be available with the field units because meters are not provided at all distribution transformers. Further, the directive of rural meterisation is repeatedly given from past several years but the Discoms are not pursuing the directives seriously. The Commission is of the view that for any inefficiency on the part of the Discoms, honest paying consumers can't be made to suffer.
13. The Commission therefore, deemed it appropriate to consider the sale and energy requirement as already admitted by the Commission in aforesaid true up order i.e. metered sale as per Annual R-

15 statement and sale to un-metered agricultural consumers as per the prescribed benchmarks.

Issue No. II: Power Purchase Quantum.

14. East and West Discoms submitted that the balancing and settlement code was implemented by the SLDC with effect from November 2009 and was in effect during 2012-13 also, and since then, monthly SEA is being prepared on the basis of Ex-bus scheduled energy and entitlement of Discoms from each Generating Station and bilateral / collective exchanges. During the actual operation the energy may be over drawn / under drawn depending upon the demand/ availability of power and this operation is carried out at Discoms' periphery. Accordingly, UI transaction & associated charges and inter Discom sale/purchase of energy is also implemented by SLDC at Discoms' periphery. It means that energy accounting at various peripheries i.e. at Ex-bus, at State Boundary and at Discom periphery is different and cannot be added without considering the transmission loss. In view of the same, requirement of power at Discom periphery should be considered and not at Ex-bus for the purpose of true-ups because of the inter Discom UI and related adjustments.
15. East and West Discoms also submitted that for estimating the power purchase quantum, the Commission considered only the energy sales to consumers, while the energy sale to other Discom & UI energy at Discom periphery had not been factored for the purpose of estimating the energy requirement at Discom periphery.
16. East and West Discoms requested the Commission to review the principles for estimating power purchase quantum at Discoms' periphery and also to take into account the impact of inter Discom UI. It is also submitted that the Discoms have no control on MP Transmission losses and PGCIL losses, therefore actual energy loss in Transmission & PGCIL system have to be considered rather than normative transmission losses of these utilities.

Commissions View:

17. The Commission has admitted the sales from monthly/Annual R-15 a legitimate record of the Petitioner. The Commission vide letter No. MPERC/RE/2015/2029 dated 10.11.2015 asked the Petitioner to submit Discom-wise monthly break-up of energy traded and its cost for FY 2010-11, FY 2011-12 and FY 2012-13 and the note on accounting of Inter-Discom trading. Discoms had neither submitted any reply to the query of the Commission nor submitted any supporting documents. In the absence of such data the Commission followed the approach in line with the approach followed in previous years True-ups.
18. Further, the Commission vide letter No. MPERC/D(RE)/1069 dated 30.6.2016 has asked the Petitioners to submit quantum of inter-Discom trading with supporting facts/ figures/ information duly authenticated by SLDC and clarification on East Discoms claim of inter-Discom trading. In reply dated 20 July, 2016, the Petitioners viz. Central and West Discoms have not submitted any substantive details endorsing the claim of the East Discom. Therefore, the review in this regards is not maintainable.

Issue No. III: Power Purchase cost of Rs 1102.67 Crore.

19. The Petitioners submitted that the Commission has not considered supplementary bills of previous years to the tune of Rs 1102.67 Crore for the purpose of determination of pooled variable rate. The Petitioners admitted that the amount of supplementary bills is related with previous years but has figured only in the balance sheets for FY 2012-13 which would require to be allowed on the basis of quantum of allowed energy of respective years. The Petitioners submitted that the normative loss level for the year before FY 2012-13 was more than the normative loss level for FY 2012-13, therefore it would have been appropriate that the Commission would have allowed the previous year's supplementary bill amount provisionally on the allowed energy of at least FY 2012-13.
20. In view of the above, the Petitioners requested the Commission to review its approach of non-consideration of supplementary bills amount of Rs 1102.67 Crore for working out the average variable rate.

Commissions View:

21. The claim of supplementary bills amounting Rs.1102.67 Crore which relates to previous years as per the submission made by the Petitioners is required to be appropriately substantiated with the admitted quantum of sale and power purchase of the respective past years along with year wise break up among fixed cost, variable charges, other charges / costs so as to enable the Commission to prudently admit this cost. Although the amount of Rs. 1102.67 Crore has been included in the audited accounts for FY 2012-13 and the Commission is inclined to consider it, but the Petitioners are required to reconcile the same with respective year's true ups. The Petitioners are therefore directed to file separate petition with the desired details for the aforesaid claims of supplementary bills for FY 2012-13.

Issue No. IV: O&M expenses.

22. The Petitioners submitted that the Commission in its previous years true-up Orders till FY 2009-10 had allowed the operation and maintenance expenses on actual basis rather than on normative basis. But in true-up orders of FY 2010-11, FY 2011-12 & FY 2012-13, the Commission has allowed the O&M expenses on normative basis only. While in fact, the actual expenses are more than the normative expenses as the normative expenses are fixed amounts towards employee's expenses, arrears and A&G expenses.
23. The Petitioners therefore requested the Commission to reconsider the admitted O&M expenses and further revise them to the actual as borne by the Petitioners in line with its approach as adopted till FY 2009-10.

Commissions View:

24. The Commission has admitted the O&M expenses as per the prevailing tariff Regulations which is in accordance with the Hon'ble APTEL judgment of 15 September 2015 in appeal nos. 234,

270, 271 and 276 of 2014 as reproduced below:

“16.3 We have considered the matter and observed that the State Commission had considered the Operation and Maintenance expenses as applicable under the prevailing Tariff Regulations.”

25. Therefore, the review in this regards is not maintainable.

Issue No. V: Interest on Loan.

26. The Petitioners submitted that the Commission has not taken into account the assets put into use for the purpose of deciding the net fixed assets and the borrowed capital to be serviced in relation to such net fixed assets only on the ground that the Discoms have not provided details of all loans linked/ identified with assets capitalized and that the books of accounts of the Discoms do not apparently indicate the clear differentiation of the assets which form part of the work in progress and those which are put into use.

27. Further, the Petitioners submitted that in such circumstances as the assets have been put into use and the benefit of the same are accruing to the consumers, the assets in reality do not have the character of work-in-progress and the assets should be treated as part of the capital block for the purpose of tariff. The Petitioner submitted that the Commission should have considered the practical aspects, namely, that the assets have been put to use, though they may not have been formally capitalized in the capital block and treatment to be given for electricity tariff can be different than the treatment given under the Companies Act or the Income Tax Act.

28. In view of above, the Petitioners requested the Commission to reconsider the interest on projects loans as stated above.

Commissions View:

29. The Commission has admitted Interest and Finance charges as per the prevailing tariff Regulations and methodology followed in previous True-up Orders. Further the Commission admitted Interest and Finance charges are in line with the judgment of Hon'ble APTEL judgment of 15 September 2015 in appeal nos. 234, 270, 271 and 276 of 2014 as reproduced below:

“17.2 We have considered the matter and found that there are no further grounds necessitating any reconsideration.”

30. Therefore, the review in this regards is not maintainable.

Issue No. VI: Interest on Working Capital.

31. East Discom submitted that the Commission while calculating working capital has reduced the

amount of security deposit i.e. Rs 576.66 Crore held at the end of the year. However, as per the audited accounts of the licensee for FY 2012-13, Rs 366.93 Crore is appearing as the amount collected from the consumers on account of security deposit in the form of cash. Further, as per Audited Accounts, under the head of security deposit, total balance is appearing as Rs 589.28 Crore. Out of this, an amount of Rs 222.35 Crore is related to deposits received from consumers for temporary connections and security deposit from permanent consumers in the form of NSC, BG and FD. Hence, consumer security deposit to the extent of Rs 366.93 Crore was only available with the company for the purpose of working capital and same should only be used for calculating the working capital requirement. Since deposit taken from consumers was available only for three months which get adjusted from the electricity bill, hence cannot be utilized as working capital. The Commission is requested to consider consumer security deposit to the tune of Rs 366.93 Crore only for purpose of computing working capital requirement for FY 2012-13.

32. Further, East and Central Discoms submitted that the Commission has not allowed interest on working capital actually incurred during FY 2012-13. It is well settled that the working capital is an essential requirement of the utility and, therefore, cannot be rejected because of the normative calculation. The working capital ought to have been allowed based on the amount required to service the cash flow for the period till the actual receipt of the receivables.
33. East and Central Discoms also submitted that, the working capital, also known as net working capital is a financial requirement which represents operating liquidity available to a business, along with fixed assets such as plant and equipment and working capital be considered as a part of operating capital. The working capital is required to ensure that business enterprise is able to continue its operations and has sufficient funds to services both maturing short-term debt and upcoming operational expenses.
34. East and Central Discoms submitted that calculation of working capital is nothing but current asset minus Current liability based on the tariff fixation norms and negative amount represents excess of current liabilities over current assets means current assets are not sufficient to cover payment obligation of current liabilities. East and Central Discoms submitted that the Commission has not appreciated the above salient aspects and has proceeded on completely misplaced belief that the financials being negative no working capital is required. East and Central Discoms submitted that consequent upon the change in power purchase cost the calculation of interest on working capital may also be change.
35. In view of above, East and Central Discoms requested the Commission to reconsider the actual working capital and interest thereof.

Commissions View:

36. As regards Security deposit, East Discom in its petition submitted that Rs 589.28 Crore is the closing balance of the security balance as per Audited Accounts as reproduced below:

“7.2.2audited records of the licensee for the FY 2012-13 shows Rs. 589.28 Cr. as closing balance of consumer security deposit, ...”

37. There is no such segregation in the Audited Accounts or in the True-up petition filed for FY 2012-13 as submitted by the East Discom in the instant review petition. The consumer security deposit of Rs 576.66 Crore considered by the Commission is the average during the year based on opening and closing of security deposit in the Audited Accounts submitted by the Discoms.
38. Further, the Commission has admitted the interest on working capital as per the prevailing tariff Regulations and methodology followed in previous True-up Orders. The Commission admitted interest on working capital is in line with the judgement of Hon'ble APTEL judgment of 15 September 2015 in appeal nos. 234, 270, 271 and 276 of 2014 as reproduced below:
- “18.2 We have considered the matter. The working capital requirement has been determined by the State Commission on norms specified. If as per the above it works out negative, the same cannot be allowed.”*
39. Therefore, the review of East and Central Discoms in this regards is not maintainable.

Issue No. VII: Return on Equity.

40. The Petitioners submitted that consequent upon the change in gross fixed asset and interest and finance charges, the return on equity may also change. The Petitioners requested the Commission to recalculate the amount of return on equity.

Commissions View:

41. As there is no change in Gross Fixed Asset and Interest and Finance Charges the review is not maintainable.

Issue No. VIII: Depreciation

42. The Petitioners submitted the Commission has considered the same rate of depreciation for FY 2012-13, as was considered in the previous year's true-up order. It is submitted that this rate was devised by the Commission as the overall depreciation estimated for the assets over the Gross fixed asset during past years. Since the increase in asset addition is not proportionate to the types of asset added to the system and also that various types of assets have different depreciation rates, it was not appropriate to consider the historical rate of depreciation as was considered in the previous year's true-up order.
43. In view of above, the Petitioners requested the Commission for reconsideration of treatment of depreciation.

Commissions View:

44. The Commission has admitted the Depreciation as per the prevailing tariff Regulations. Further the Commission admitted Depreciation is in line with the judgement of Hon'ble APTEL

judgment of 15 September 2015 in appeal nos. 234, 270, 271 and 276 of 2014 as reproduced below:

“19.2 We have considered the matter. As maintained by the State Commission that the Return on Equity and the Depreciation have been considered in truing up as per the Tariff Regulations, we are in agreement with the State Commission..”

45. Therefore, the review in this regards is not maintainable.

Issue No. IX: Bad and doubtful debts.

46. The Petitioners submitted that the tariff regulations provide for allowing bad debts as amount actually written-off subject to the maximum of 1% of the sales revenue. It is also submitted that the tariff regulations do not provide that amount written off under any scheme will not be considered.

47. East Discom submitted that as per the decision of BoD, the write off amount of Rs 281.65 Crore for RE Cooperative Society ought to have been allowed additionally over and above the normative parameter.

48. West Discom submitted that actual written off amount during the year is Rs. 126.77 Crore which includes Rs. 6.78 Crore written off in pursuance of orders of Hon’ble High Court of MP, which may not be disallowed.

49. In view of above, the Petitioners requested the Commission for reconsideration of treatment of Bad and doubtful debts.

Commissions View:

50. The Commission has admitted the bad and doubtful debt as per the prevailing tariff Regulations. Further the Commission admitted bad and doubtful debt is in line with the judgement of Hon’ble APTEL judgment of 15 September 2015 in appeal nos. 234, 270, 271 and 276 of 2014 reproduced below:

“20.3 We have considered the matter and are in agreement with the State Commission..”

51. Therefore, the review in this regards is not maintainable.

Issue No. X: Other expenses and Other Income.

52. East and Central Discoms submitted that the true-up exercise is based on Audited Accounts of the company for FY 2012-13 in which the expenses of previous years have been incorporated. The Commission has considered the other income of prior period but not considered the prior period expenses.

53. In view of above, East and Central Discoms requested the Commission for reconsideration of treatment of other expenses.
54. The East and Central Discoms submitted that as per Regulation 2.37, other income as provided in the MPERC (Details to be furnished by generating companies and licensees for determination of Tariff and manner of making an application) Regulation 2004 shall be considered.
55. East and Central Discoms further submitted that income from recoveries for theft of power/malpractice has not been provided in relevant regulation. Further, the Commission has not allowed the expenditure particularly the cost of power purchase corresponding to exceeding of distribution loss level over and above the normative loss level. In accordance to the same, the income earned by the licensees towards recovery against theft of power/malpractices should not be considered for the purpose of true-up.
56. West Discom submitted it has to refund the interest earned on RGGVY funds to the amount of Rs. 13.62 Crore considered by the Commission as other income in true-up of FY 2012-13. Therefore, interest earned on RGGVY funds to the amount of Rs. 13.62 Crore may not be considered as considered as other income. Further, West Discom submitted that MP Transco waived off Rs. 120.90 Crore towards transmission charges during the FY 2012-13, which was inter group transaction within two company owned by the government, hence it is requested to not treat the same as other income. West Discom also requested the Commission to reduce the amount of interest earned on fixed deposit and other similar income earned due to efficiency of the Discom from other income in the true-up of FY 2012-13.
57. The Petitioners requested the Commission for reconsideration for treatment of Non-tariff Income as per the above submissions.

Commissions View:

58. The Commission has admitted the other expenses and other Income as per the prevailing tariff Regulations. Further the Commission admitted other expenses and other Income are in line with the judgement of Hon'ble APTEL judgment of 15 September 2015 in appeal nos. 234, 270, 271 and 276 of 2014 as reproduced below:

“21.3 We have considered the matter and are in agreement with the State Commission.”

59. Therefore, the review in this regards is not maintainable.

Issue No. XI: Revenue Gap and Carrying cost.

60. East Discom submitted that the Commission allowed the revenue gap but it did not determine any carrying cost for this revenue gap of ARR for FY 2012-13. The True Up petition for FY 2012-13 was submitted on 18.11.2014 before the Commission, and the revenue gap has been made pass through in the ARR order for FY 2016-17 passed on 05.04.2016. In the meanwhile, the Discom had to bear interest and finance charges on the working capital loan to meet out its

expenses to the tune of the revenue gap. Hence, the Commission is requested to determine and approve a carrying cost for the revised revenue gap calculated after taking into consideration all the facts submitted for review before the Commission.

Commissions View:

61. As per the regulations, Discoms were required to file their respective petitions for true-up of ARR for FY 2012-13 by October 31, 2013. Further, as per directives of Hon'ble APTEL in the judgment of November 11, 2011 in the matter of O.P. No.1 of 2011, the Discoms are required to file their true-up petitions for respective years regularly. Discoms, however, have not filed their true-up petitions for FY 2012-13 within stipulated time. After rigorous pursuance the East Discoms has filed the true-up petition for the period from April 1, 2012 to March 31, 2013 on 18/11/2014. The motion hearing was held on 09/12/2014. The petition was found grossly inconsistent, incomplete / deficient on account of information furnished in respect of ARR items and also at variance from the audited statement of accounts of the company for FY 2012-13. The petitioner sought time to respond the deficiencies / gaps pointed out by the Commission. The Commission considered the request and vide daily order dated 09/12/2014, the Commission directed to file revised petition after due reconciliation and verification of data / incorporation of requisite information. East Discom filed the revised petition and reply to the observations of the Commission vide letter dated 27/05/2015.
62. The revised petitions along with the additional data / information furnished to the Commission were further examined and vide letter dated July 9, 2015 deficiencies in the revised petitions / additional data and information were communicated to East, West and Central Discoms. In response East Discom had filed their revised / corrected petitions on 27/08/2015.
63. The submissions subsequently furnished by the petitioners in revised petition / data gaps were examined by the Commission and it was observed that data / information furnished to the Commission were not sufficient in making compliance of the directions of Hon'ble APTEL's in the matter of Appeals 234, 270, 271 and 276 of 2014 filed on the true up orders of the Commission issued in past in respect of FY 2008-09, 2009-10, 2010-11 and 2011-12 on 15th September 2015.
64. In order to comply with the Hon'ble APTEL's aforementioned judgement, vide letter dated 10th November 2015, the Commission directed the Discoms to file all relevant records in support of their contention of additional supply of units made to unmetered agricultural category of consumers duly verified and certified by SLDC for FY 2012-13. Further, it was also directed that Discoms should link up the station-wise details of fixed cost and variable cost with the power purchase cost indicated in their audited balance sheets. The Discoms submitted the required data on dated 18.12.2015.
65. Meanwhile, the Commission examined the revised petitions and the additional information / data furnished to the Commission collectively for all the Discoms and admitted their petitions for further proceedings on 07/11/2015. Thereafter the public hearing in the matter was held on 15.12.2015 and the detailed order was issued on 17.03.2016.

66. In view of the facts and circumstances enumerated as above, the review in this regards is not maintainable as the Discoms had delayed the submission of the vital information to the Commission.
67. From the aforementioned examination, and the extracts of the relevant Orders quoted hereinabove the Commission has observed that no new or important matter has been produced before the Commission, no mistakes or error apparent on the face of the record has been found in the Commission's True up Order for FY2012-13 dated 17.03.2016 hence the review is not maintainable. The Petitions filed by East Discom, West Discom and Central Discom are therefore disposed of.

(Alok Gupta)
Member

A.B. Bajpai
Member

(Dr. Dev Raj Birdi)
Chairman