

No. 2026-MPERC-2012.—In exercise of powers conferred by Section 181 (2) (zd) read with Section 61 of the Electricity Act, 2003 (No. 36 of 2003), Madhya Pradesh Electricity Regulatory Commission hereby makes the following amendments in MPERC (Terms and Conditions for Determination of Generation Tariff) (Revision-I) Regulations, 2009 notified on 8th May 2009.

**THIRD AMENDMENT TO MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION
(TERMS AND CONDITIONS FOR DETERMINATION OF GENERATION TARIFF) (REVISION-I)
REGULATIONS, 2009**

1. Preamble.—WHEREAS, the Commission had notified MPERC (Terms and conditions for determination of Generation Tariff) Regulations, 2009 on 8th May 2009 for the control period upto March, 2012. The Second amendment to this Regulation was made on 10th February, 2012 to extend the control period upto March, 2013 to align the applicability of these Regulations in line with MPERC (Terms and conditions for determination of tariff for supply and wheeling of electricity and methods and principles for fixation of charges) Regulations, 2009. At the time when exercise on MPERC (Terms and conditions for determination of Generation Tariff) (Revision-I) Regulations, 2009 and its amendments were taken up by the Commission, there were no Coal based Thermal Generating Plants of 45MW, 250MW, 600 MW and 660 MW capacities in the State for which MPERC was to determine tariff under Section 62 of the Electricity Act, 2003. Therefore, the norms of operation and operation & maintenance expenses in respect of such plants were not specified in the Regulations. As there are upcoming plans of these capacities, amendments to the Regulations are required to provide the norms of operation for 45 MW plants and operation & maintenance expenses for all such capacities also.

2. Short title and commencement.—2.1 These Regulations shall be called “Madhya Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Generation Tariff) (Revision-I) Regulations, 2009 (Third Amendment) [ARG-26 (I) (iii) of 2012]”.

2.2 These Regulations shall extend to the whole of the State of Madhya Pradesh.

2.3 These Regulations shall come in force from the date of their publication in the Official Gazette of the Government of Madhya Pradesh and unless reviewed earlier or extended by the Commission, shall remain in force for a period upto March, 2013.

3. Amendment to Regulations 15.—In the Madhya Pradesh Electricity Regulatory Commission (Terms and conditions for determination of Generation Tariff) (Revision-I) Regulations, 2009, hereinafter called the ‘Principal Regulations’ the following shall be amended, namely:—

In the Principal Regulations, the following shall be added after Regulation 15.3, namely :—

“15.4 Where application for determination of tariff of an existing or a new project has been filed before the Commission in accordance with clause 15.1 and amended Clause 15.2 of this Regulation, the Commission may consider, at its discretion, to grant provisional tariff upto 95% of the annual fixed cost of the project after prudence check subject to adjustment as per proviso to clause 15.3 of this Regulation after the final tariff order has been issued :

Provided that recovery of capacity charge and energy charge, as the case may be, in respect of the existing or new project for which provisional tariff has been granted shall be made in accordance with the relevant provisions of these Regulations.”

4. Amendment to Regulation 33.—In the Principal Regulations, the following shall be substituted under Regulation 33.2 (A) and 33.2 (D) namely :—

“A. Normative Annual Plant Availability Factor (NAPAF)

45MW set 85%	200/210/250 MW set 85%	300/330/500 MW set 85%	600/660 MW set 85%
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D. Auxiliary Energy Consumption

S.No.	Power Station	With natural draft cooling tower or without cooling tower
(1)	(2)	(3)
(1)	200 MW series	8.5%
(2)	500 MW & above	
	Steam driven boiler feed pumps	6.0%
	Electrically driven boiler feed	8.5%
(3)	45MW	10%

Provided further that for thermal generating stations with induced drafts cooling towers, the norms shall be further increased by 0.5%".

5. **Amendment to Regulation 34.**—In the Principal Regulations, the Regulation 34.1 shall be substituted as follows namely :—

"34.1. The Operation and Maintenance expenses admissible to Thermal Power Stations comprise of Employee Cost, Repair & Maintenance (R & M) cost and Administrative and General (A &G) cost. The norms for existing Thermal Power Stations shall exclude Pension, Terminal Benefits and Incentive to be paid to employees, taxes payable to the Government, MPSEB expenses and fees payable to MPERC. The Generating Company shall claim the taxes payable to the Government and fees to be paid to MPERC separately as actuals. The claim of pension and Terminal Benefits shall be dealt with as per Regulation 26.

A. O&M Norms for existing Thermal Generating Units.

Units (MW)	FY 09-10	<u>Rs. in lakhs/MW</u> FY 10-11	FY 11-12	FY 12-13
62.5	21.42	22.74	24.13	25.61
120	17.84	18.94	20.10	21.33
200/210/250	14.28	15.16	16.09	17.08
500	10.7	11.36	12.05	12.79

B. O&M Norms for new Thermal Generating Units commissioned after 31st March 2012:

Units (MW)	Rs. in lakhs/MW FY 12-13
45	24.00
200/210/250	17.08
600 & above	12.00

Provided that the above norms shall be multiplied by the following factors for additional Units in respective Unit sizes for the Units whose COD occurs on or after 1st April 2009 in the same station:

200/210/250 MW	Additional 5th & 6th Units	0.9
	Additional 7th & more Units	0.85
300/330/350 MW	Additional 4th & 5th Units	0.9
	Additional 6th & more Units	0.85
500 MW and above	Additional 3rd & 4th Units	0.9
	Additional 5th & above Units	0.85