

THE MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION
Meghalaya State Electricity Regulatory Commission (Levy and Collection of State Load Despatch Centre Fees and Charges) Regulations, 2009.

(REGULATION 2 OF 2009)

(Published in the Gazette of Meghalaya issue dated 2009)

NOTIFICATION

No. MSERC/Regn-02/2009. In exercise of the powers conferred under sub section (2) of Section 181 read with section (3) of section 32 of the Electricity Act, 2003 and all powers enabling it in that behalf the Meghalaya State Electricity Regulatory Commission hereby makes the following Regulations, the same having been previously published in the Gazette of Meghalaya of Issue dated November 27, 2008 (Part II A pages 355-358), namely-

The Meghalaya State Electricity Regulatory Commission (Levy and Collection of State Load Despatch Centre Fees and Charges) Regulations, 2009.

1. Short title, extent and commencement-

- (1) These Regulations may be called the **Meghalaya State Electricity Regulatory Commission (Levy and Collection of Fee and Charges by State Load Despatch Centre) Regulations-2009.**
- (2) They shall come into force from the date of publication in the Gazette of Meghalaya.
- (3) They shall apply to the licensees engaged in intra-State transmission of electricity and generating stations that are monitored and despatched by the SLDC in the State of Meghalaya. These Regulations shall not be applicable to generating stations upto and inclusive of installed capacity of 5MW.

2. Definitions

- (1) In these regulations, unless the context otherwise requires-
 - (a) "Act" means The Electricity Act 2003;
 - (b) "Billing month " means the calendar month ending with the last day of the month;
 - (c) "Commission" means the Meghalaya State Electricity Regulatory Commission;
 - (d) "financial Year" means the year commencing from first day of April, and ending on the thirty-first day of March of the following year;
 - (e) "intra-State transmission system" means any system for transmission of electricity other than an inter-state transmission system;
 - (f) "State Government" means the Government of Meghalaya;
 - (g) "State Load Despatch Centre (SLDC)" means the load despatch centre established in Meghalaya by the Government of Meghalaya;

- (h) “state transmission utility” means the Meghalaya State Electricity Board which has been notified as such by the Government of Meghalaya, under the Act;
- (2) Words and phrases which are not defined in this regulation shall have the same meaning as found in the Electricity Act 2003. In case of any inconsistency in the words and phrases between the Act and the KER Act, the provisions of the Act will prevail.

Fee and SLDC charges

3. Levy and Collection of Fee and SLDC Charges from Generating Stations and Transmission Licensees

- (1) All expenses incurred by the SLDC, shall be accounted for separately.
- (2) For the discharge of its functions as specified in section 32 of the Act, expenses incurred by the SLDC shall be recovered from the Generating stations monitored and despatched by the SLDC and the Transmission Licensees.
- (3) Each of the Generating stations monitored and despatched by SLDC and Transmission Licensees which come under the purview of these Regulations shall submit an application to the SLDC in the specified format at least one month before the proposed date of connection to the State Grid, along with Fee of Rs.10, 000. (Rupees Ten Thousand only). The existing Transmission Licensees and Generating Stations, which come under the purview of these Regulations, shall register themselves with the SLDC by filing an application along with the above mentioned fees.
- (4) The SLDC, after scrutinising the application and after being satisfied of the completeness and correctness of the information furnished in the application, shall register the application in SLDC records duly intimating the applicant regarding the acceptance.
- (5) The SLDC charges to be recovered from the Generating Stations monitored and despatched by SLDC and Transmission Licensees shall be determined taking into account the following expenses:
- a) Employee Cost
 - b) Administration and general Charges
 - c) Repairs and Maintenance Expenses
 - d) Depreciation
 - e) Interest and finance charges
 - f) Interest on working capital, if any
 - g) Return on equity/Investments
 - h) Any other expenses incidental to discharging the functions of SLDC.

- (6) Basis for collection of SLDC charges:
The annual SLDC charges shall be arrived at, as per Annexure-1 and shall be allocated equally between the Generating Stations monitored and despatched by SLDC and Transmission licensees. Thereafter, the allocation of charges to the individual Generating Stations monitored and despatched by SLDC shall be on the basis of installed generation capacity. The allocation of charges to individual transmission licensees shall be on the basis of M.W Kilo Meters of the transmission network.

4. Filing of Annual Revenue Requirement (ARR) by the SLDC

- (1) Not later than four months before the commencement of the Financial Year, the SLDC shall provide to the Commission, full details of its calculations of the estimated ARR for the ensuing Financial Year and proposed allocation of charges to transmission licensees and generating stations. The details shall also be furnished to the Generating Stations and Transmission Licensees simultaneously.
- (2) The details of calculation of the expenses and other related information shall be provided in the format prescribed in the [Annexures 1 to 13](#).
- (3) The details of capital investment programme for the ensuing year shall be furnished along with the ARR filing. For projects costing above Rupees one crore, specific prior approval of the Commission, in respect of each of the projects shall be obtained duly furnishing the Detailed Project Report (DPR) for such works, with full details.
- (4) The ARR shall be filed, in the form of a petition, by the SLDC in Six sets with each format signed by an authorised officer of the SLDC, who shall be responsible for verifying and certifying the correctness thereof.
- (5) The ARR filed by the SLDC shall be scrutinised by the Commission and as a result of such scrutiny, the Commission may, within fifteen working days, call for such further information and clarification as may be required.
- (6) The Commission may get the books/records of SLDC examined by its officers and/or by any authorised person at any point of time during the pendency of the petition or otherwise. The reports of the officers etc., shall be made available to the parties concerned and they shall be given opportunity to reply/respond to the reports. The Commission shall duly take into account the report or the opinion given by the officers and/ or by any authorised person and the reply filed by the parties thereon, and if considered necessary, the Commission may examine the person giving the reports or the opinion, while deciding the matter.
- (7) Upon the Commission being satisfied that all the information and clarification sought for by it have been produced and that sufficient opportunity has been afforded to all the parties concerned, the Commission will pass appropriate orders on the ARR. The Commission will also determine the SLDC charges recoverable from the Generating stations monitored and despatched by SLDC and the Transmission Licensees in the first ARR.
- (8) The SLDC charges so determined by the Commission shall be valid till the approval of next revision of charges. SLDC shall seek revision of charges only when the ARR for any year varies by plus or minus 10% of the ARR considered at the time of previous determination of SLDC charges.

- (9) SLDC shall file ARR every year even when no revision of charges is required. The Commission will validate the ARR and pass appropriate orders.
- (10) In the event of non-revision of SLDC charges during any year for the reasons cited under 4.01(i), shortfall or excess in recovery of SLDC charges, shall be carried forward to the next ARR.
- (11) The SLDC shall submit periodic returns containing operational and cost data, as may be prescribed by the Commission.
- (12) All filings shall be in conformity with the stipulations made in these Regulations.

BILLING AND COLLECTION OF SLDC CHARGES

5. Billing of SLDC Charges:

- a) The SLDC shall furnish necessary monthly bills at the rate of one twelfth of the annual charges as approved by the Commission, to the Generating stations monitored and despatched by SLDC and the Transmission Licensee for each billing month with in SEVEN DAYS after the last day of the preceding month.
- b) The Generating Companies and the Transmission Licensees shall make payment to the SLDC of the amounts due within FIFTEEN DAYS of the date of receipt of the bill.
- c) If the payment is not made within the due date, a penal interest at the rate of SBI Prime Lending Rate PLUS TWO percent per annum shall be payable on the unpaid amounts.
- d) **Priority for Payment of SLDC Charges:** The Generating stations monitored and despatched by SLDC and the Transmission Licensees shall arrange payment of the SLDC Charges on a first charge basis over all other payments except statutory payments.
- e) **Disputes in billing:** Disputes arising out of billing of SLDC charges shall be, as far as possible, settled by mutual negotiations. If the disputes are not resolved through mutual negotiations within SIXTY DAYS of the receipt of the bills, the matter shall be referred to the Commission through a petition by either of the parties. The decision of the Commission shall be binding on both the parties.
- f) Pending resolution of the dispute 90% of the bill amount shall be paid under protest within the due date.

Miscellaneous

6.
 - (1) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice.
 - (2) Nothing in these regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these regulations, if the Commission, in view of the special circumstances of a matter or a class of matters and for reasons to be recorded in writing, deems it just or expedient for deciding such matter or class of matters.
 - (3) Nothing in these regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

By Order of the Commission,

Secretary

ANNEXURE-1						
Annual Revenue Requirement of SLDC for the year..... (Rs. in Lakhs)						
Sl.No	Particulars	Annexure No.	Previous Year(Actuals)	Current Year(Actuals for first six months and estimate for the balance period)	Ensuing Year (Estimates)	Remarks
1	Employee Cost					
2	Administration & General Charges					
3	Repairs and Maintenance Expenses					
4	Depreciation					
5	Interest & Finance Charges					
6	Interest on Working Capital					
7	Other Expenses					
8	Prior Period Adjustments(+ / -)					
9	Return on Investments/Capital					
10	Total Revenue Requirement					
11	Less other income (fee etc.)					
12	Net ARR					
13	Amount Allocated to Generating Station (50% of Sl No. 12)					
14	Amount Allocated to Transmission Licensee(50% of Sl No. 12)					

Estimated Revenue from Generating Stations & Transmission Licensees for the Financial Year.....						ANNEXURE-2
			Revenue from Gen.Station/Transmission Licensees Amount (Rs. In Lakhs)			
Sl.No.	Particulars	Generation Capacity in MWs/Transmission capacity in MW Kilometers	Previous year	Current Year (Actuals for first six months and estimate for the balance period)	Ensuing year(Estimates)	Remarks
1	.....Generating Station					
2	.....Generating Station					
3	.....Generating Station					
4	.....Generating Station					
5	.....Generating Station					
6	.....Generating Station					
	Total from Generating Stations					
1	.....Transmission Licensee					
2	.....Transmission Licensee					
3	.....Transmission Licensee					
4	.....Transmission Licensee Etc.					
	Total from Transmission Licensees					
	Total					

EMPLOYEES' COST					ANNEXURE-3
Sl.No	Particulars	Previous Year(Actuals)	Current Year(Actuals for first six months and estimate for the balance period)	Estimate for ensuing Year	Remarks
1	Salaries				
	Over Time/Double Wages				
3	Dearness Allowance				
4	Other Allowances				
5	Bonus/Ex-gratia				
6	Sub-Total (1 to 5)				
7	Medical Expenses				
8	Leave Travel Allowance				
9	Earned Leave Encashment				
	Other expenses towards				
10	Employee Cost				
11	Sub-Total(7 to10)				
12	Staff Welfare Expenses				
13	Terminal Benefits/Provisions				
14	Subtotal(12 to 13)				
	Grand Total				

EMPLOYEES' COST-ADDITIONAL INFORMATION										ANNEXURE-4
Sl.No	Category of Employees	Previous Year			Current Year			Ensuing Year		
		No.s		Cost	No.s		Cost	No.s		Cost
		Sanctioned	Working	Rs. in Lakhs	Sanctioned	Working	Rs. in Lakhs	Sanctioned	Working	Rs. in Lakhs
1	Board of Directors									
2	Chief Engineers and equivalent									
3	S.E and equivalent									
4	E.E and equivalent									
5	A.E.E and equivalent									
6	A.E and equivalent									
7	All other staff									
	Total									
	Note: The number of employees be given on a consistent year end basis									
	The Cost columns should only include remuneration for actual No. of employees working									

ANNEXURE-5					
ADMINISTRATION AND GENERAL EXPENSES					
Sl.No	Particulars	Previous Year(Actuals)	Current Year(Actuals for available period and estimate for the balance period)	Estimate for ensuing Year	Remarks
1	Rents, Rates and Taxes				
2	Security Arrangements				
3	Insurance				
4	Telephone Charges, postages, Telegram, Telex and fax charges				
5	V Sat, internet and related Charges				
6	Legal Charges				
7	Audit Fees				
8	Consultancy Charges				
9	Technical Fee				
10	Other Professional Charges				
11	Travelling Expenses				
12	Conveyance and Vehicles Hire charges				
13	Sub-Total(1 to 12)				
14	Other Expenses				
	a) Fees and Subscription				
	b) Books and periodicals				
	c) Computer Stationery				
	d) Printing and Stationery				
	e) Advertisements				
	f) Contributions/Donations				
	g) Electricity Charges				
	h) Water charges				
	i) Entertainment Charges				
	j) Miscellaneous Charges				
15	Sub-Total(a to j)				
16	Freight				
17	Other purchases and related expenses				
18	Grand Total				

Note: In case the expenditure is more than Rs. ONE Crore in respect of each of the above items, full details of such expenses shall be furnished separately.

REPAIRS AND MAINTENANCE CHARGES							ANNEXURE-6			
Sl.No	Particulars	Previous Year			Current Year			Ensuing Year		
		Consumption of Stores	Other O & M Expenses	Total	Consumption of Stores	Other O & M Expenses	Total	Consumption of Stores	Other O & M Expenses	Total
	Repairs and maintenance to:									
	1. Plant & Machinery									
	2. Buildings									
	3. Other Civil Works									
	4. Cable Network									
	5. Vehicles									
	6. Furniture & Fixtures									
	7. Office Equipment									
	8. Others									
	Total									

ANNEXURE-7												
DEPRECIATION												
Sl.No.	Description of Asset	Previous Year			Current Year				Ensuing Year			
		Balance of Accumulated Depreciation at the beginning of the year	Depreciation Provided for the year	Withdrawal of Depreciation	Balance of accumulated Depreciation at the end of the year	Balance of Accumulated Depreciation at the beginning of the year	Depreciation Provided for the year	Withdrawal of Depreciation	Balance of accumulated Depreciation at the end of the year	Balance of Accumulated Depreciation at the beginning of the year	Depreciation Provided for the year	Withdrawal of Depreciation	Balance of accumulated Depreciation at the end of the year
1	Land and Rights											
2	Building and structures											
3	Communication equipment											
4	Metering Equipment											
5	V-Sat Equipment											
6	Miscellaneous Equipment											
7	Other Items											
	Total											

ANNEXURE-8								
INTEREST AND FINANCE CHARGES								
Sl.No	Name of the Institution/Bank	Balance at the beginning of the year	Amount received during the year	Amount redeemed during the year	Balance outstanding at the end of the year	Rate of interest	Interest for the year	Remarks
1	Loan from Govt							
2	Loan from others- Secured							
	a)							
	b)							
	c)							
	Total							
3	Loans from others-unsecured							
	a)							
	b)							
	c)							
	Total							
	Short term Loans/Borrowing							
4	for working Capital							
	a)							
	b)							
	c)							
	Total							
5	Others							
	a)							
	b)							
	c)							
	Total							
	Grand Total							

ANNEXURE-9						
INTEREST ON WORKING CAPITAL						
Sl.No	Source of Borrowing	Amount Borrowed during the year	Rate of interest	Period of borrowing	Amount of Interest	Remarks
1						
2						
3						
4						
5						
6						
7						
8						
	Grand Total					

OTHER EXPENSES					ANNEXURE-10
Rs. In Lakhs					
Sl.No.	Particulars of Expenses	Previous year	Current Year(Actuals for available period and estimate for the balance period)	Estimates for Ensuing Year	Remarks
	Total				

PRIOR PERIOD ADJUSTMENTS

ANNEXURE-11
Rs. in Lakhs

Sl.No	Particulars	Rs. in Lakhs			Remarks
		Previous Year	Estimates for Current Year	Estimates for Ensuing Year	
	Total				

OTHER INCOME					
Sl.No.	Particulars	Rs. in Lakhs			Remarks
		Previous Year	Estimates for Current Year	Estimates for Ensuing Year	
Total					

APPLICATION FOR REGISTRATION FOR CONNECTION WITH THE STATE GRID

Sl.No	Particulars	
1	Name of the Generating Company/Transmission Licensee	
2	Registered Address	
3	Phone No./Fax/E-mail Id	
4	Capacity: In case of Generating Station Installed Capacity in M.Ws In case of Transmission Licensee capacity in MW Kilo Meters of Transmission Line.	
5		
6	Proposed date of Connection with the State Grid	
7	Details of Inter-connection point(enclose separate sheet if necessary)	
8	DD No.and Date towards Registration Fee payable to SLDC.	
	Undertaking:	
	We hereby undertake to abide by the instructions issued by the SLDC for Grid Management.	
		Signature of the Authorised Officer
Note:	The SLDC may prescribe and collect necessary technical details from the Generating Companies and Transmission Companies separately.	