



**Delhi Electricity Regulatory Commission**  
**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17.**

No. F.11(1570)/DERC/2017-18/6090

**Petition No. 26/2018**

**In the matter of: Petition regarding inconsistency between rate of Late Payment Surcharge levied by State Utilities and rate of carrying cost allowed by the Commission on the Regulatory Asset .**

BSES Yamuna Power Ltd.

**Through its: CEO**

Shakti Kiran Building, Karkardooma  
New Delhi –110 092

....Petitioner

Versus

1. Indraprastha Power Generation Co. Ltd.  
Rajghat Power House Complex,  
New Delhi 110 002

2. Pragati Power Corporation Limited  
Himadri, Rajghat Power House Complex  
New Delhi- 110002

3. Delhi Transco Limited  
Shakti Sadan, Kotla Marg,  
New Delhi- 110002

....Respondents

**Coram: Sh. B.P. Singh, Member**

**Appearance:**

1. Mr. Buddy A Ranganadhan, Adv., BYPL
2. Mr. Anupam Verma, Adv., BYPL
3. Mr. Rahul Kinra, Adv. BYPL
4. Mr. Ashutosh Kr. Srivastava, Adv., BYPL
5. Mr. Akshat Srivastava, BYPL
6. Ms. Neha Garg, IPGCL & PPCL
7. Mr. Gagan Swain, BYPL
8. Ms. Prachi Jain, BYPL
9. Mr. Abhishek Srivastava, BYPL
10. Mr. Sameer Singh, BYPL

**INTERIM ORDER**

(Date of Hearing: 22.05.2018)

(Date of Order: 28.05.2018)

1. The present petition has been filed by M/s BSES Yamuna Power Ltd. regarding alleged inconsistency between rate of Late Payment Surcharge levied by State Utilities and rate of carrying cost allowed by the Commission. The petitioner has made following prayers in the petition:

- a) Relax following Regulations and permit the Petitioner to pay LPSC equivalent to rate of carrying cost allowed by this Hon'ble Commission to the Petitioner for amortization of Regulatory Asset:

- (i) Regulation 7.24 of MYT Generation Regulations, 2007;
  - (ii) Regulation 5.32 of MYT Transmission Regulations, 2007;
  - (iii) Regulation 7.25 of MYT Generation Regulations, 2011;
  - (iv) Regulation 5.27 of MYT Transmission Regulations, 2011; and
  - (v) Regulation 137 of MYT Tariff Regulations, 2017.
- b) In the alternative, increase the rate of carrying cost allowed by the Commission equivalent to the LPSC being levied by the State Utilities.
- c) Also, allow the LPSC recovered by the State Utilities over and above the rate of carrying cost as Income in the ARR of the Utilities so that the benefit of the same can be passed on to the Consumers.
2. The Counsel for the petitioner submitted that the instant matter be tagged with petition no. 08 of 2018 filed by M/s BSES Rajdhani Power Ltd. on the same issue.
3. The Counsel for the respondents IPGCL and PPCL requested for four weeks time to file reply in the matter.
4. The petition is admitted and is tagged with similar petition No. 08 of 2018.
5. The petitioner is directed to provide a copy of the petition to the respondents within a week, if not already provided and the respondents may file reply to the petition within four weeks thereafter, with an advance copy to the petitioner.
6. The next date of hearing shall be informed to the parties in due course.

**Sd/-**  
**(B.P. Singh)**  
**Member**