

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

First Amendment to APERC (Fees) Regulation No.1 of 2005 on Levy of Fees for various services rendered by the Commission

Regulation No.11 of 2013

Introduction:

Under the provision of the Electricity Act, 2003, the Andhra Pradesh Electricity Regulatory Commission (hereinafter referred to as “the Commission”) has to discharge various functions including issue of licences, determination of tariff, adjudication of disputes, review of Commission’s orders and various miscellaneous services. Section 86(1)(g) of the Electricity Act, 2003 empowers the Commission to levy fee for the purposes of the Act. Thus, the Commission has notified the Andhra Pradesh Electricity Regulatory Commission (Fees) Regulation, 2004 [Regulation No.1 of 2005] in A.P. Extraordinary Gazette dated 27th May, 2005. Over a period of time the establishment costs have increased and inflation has escalated manifolds.

In exercise of powers conferred on it under the provisions of 86(1)(g) read with Section 181 of the Act, and all powers enabling it in that behalf, after previous publication of the draft regulation and taking into consideration of objections/suggestions received, the Andhra Pradesh Electricity Regulatory Commission hereby makes the following Amendment Regulation relating to levy of fee upon filing of petitions and applications, etc., before the Commission.

1. Short title and commencement:

- i) This Regulation may be called the Andhra Pradesh Electricity Regulatory Commission (Fees) First Amendment Regulation, 2013.
- ii) This Regulation shall extend to the whole of the State of Andhra Pradesh.
- iii) This Regulation shall come into force on the date of its publication in the Andhra Pradesh Gazette.

2. Deletion of ‘Note’ appearing after sub-clause 5 of clause 3 of the principal regulation:

The ‘Note’ appearing after sub-clause 5 of clause 3 of the principal regulation is deleted.

3. Insertion of new sub-clause after sub-clause 5 of clause 3 of the principal regulation:

A new clause is inserted after sub-clause 5 of clause 3 of the principal regulation, which would read as follows.

“(6) The Commission may, at its discretion, dispense with the requirements of any of these Regulations in specific cases including reduction of fees or total waiver of fee.”

4. Amendment to clause 4 of principal regulation:

The clause 4 of the principal regulation is replaced and substituted as under:

i) **Fees to be paid with application for License or for Exemption:**

	Type of application	
(a)	Application for grant of a transmission/distribution/trading licence.	As fixed by the State Govt. from time to time (presently Rs.30,000/-).
(b)	Application for Exemption from licence.	Same as at (a) above.

ii) **Annual Licence Fee to be paid by Licensees:**

	Type of Licence	
(a)	Transmission Licence.	Rs.1,500/- per MW of the allocated capacity.
(b)	Distribution Licence/ Deemed Licence	0.10 paise per each unit of energy (kWh) to be handled during the year.
(c)	Exemption from licence.	0.10 paise per each unit of energy (kWh) to be handled during the year.
(d)	Trading Licence.	As specified by APERC in the Regulation on intra-State trading in electricity.

Notes: 1. 'Allocated capacity' in respect of a transmission licensee means the capacity considered in the Tariff Order of the Commission for the relevant year for computation of transmission charges.

2. The annual fees are payable within 15 days of the commencement of a financial year. Any delay shall attract a penalty of 1.5% per month or part thereof.

iii) **Fees to be paid with application for determination of tariff:**

(a)	Generating Companies.	Rs.15,000/- for conventional generators and Rs.12,500/- for renewable generators per MW with a maximum of Rs.100 lakhs
(b)	Licensees / Exemtees.	Nil. Covered in the annual licence / exemption fees payable as per sub-clause (2) above.

iv) **Fees to be paid along with petition for adjudication of disputes and other issues, invoking the provisions of Act, 2003**

a)	For adjudication of a dispute u/s 33(4) and 86(1)(f) of the Act.	Rs. 30,000/- If the value of relief sought is more than 100 lakhs, the fee will be Rs.50,000/-.
(b)	For adjudication on adequacy of Transmission capacity u/s 9 of the Act.	Rs. 40,000/-.

(c)	For petitions under any other provisions of the Act.	
	(i) Licensee / Generating Company.	Rs. 10,000/-.
	(ii) Individuals / Consumer organisations.	Rs. 1,000/-.

v) **Fees to be paid with petition seeking review of Commission's orders**

a.	For review of orders issued u/s 62 and 64 of the Act / section 26 of the A.P. Electricity Reform Act, 1998.	Rs.12,500/-
b	For review of orders issued u/s 9, 33(4) and 86(1)(f).	Rs.15,000/-
c	For others.	Rs.1,000/-

Note:- At the discretion of the Commission the above-mentioned fees will be refundable, in part or in full, if the review petition is allowed in part or in full, as the case may be.

vi) **Fee for miscellaneous services**

a)	Inspection of records of the Commission (on permission) (i) for bulk records (ii) for others	"NIL"
(b)	Supply of certified copies of documents/ orders of the Commission	Rs.2/- per page

vii) **Fees for applications, petitions (including review petitions), etc., to be paid by registered consumer organizations, NGOs and individuals seeking to protect/represent common interests of consumers / public at large: "NIL"**

Note: 1) On questions, if any, whether or not an organization/ individual is seeking to protect/represent the common interest of consumers/public at large, the decision of the Commission shall be final.

2) No fee is payable for the objections / suggestions made in response to the public notices issued by the Licensees or the Commission on Tariff proposals of Licensees or the Regulations to be framed by the Commission, etc.

5. Amendment of clause 5:

For the figure 'Rs.100/-' appearing in clause 5, the figure Rs.1,000/- is substituted.

(BY ORDER OF THE COMMISSION)

Hyderabad
13-08-2013

M.D.Manohar Raju
Commission Secretary