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**PART--I-- Orders and Notifications by the Government of Tripura,  
The High Court, Government Treasury etc.**

**TRIPURA ELECTRICITY REGULATORY COMMISSION  
AGARTALA: TRIPURA**

NO.F./25/TERC/09/203

Dated, 17<sup>th</sup> August 2011

NOTIFICATION

**TRIPURA ELECTRICITY REGULATORY COMMISSION  
(MISCELLANEOUS PROVISIONS RELATING TO PETITIONS, FEES)  
REGULATION, 2011.**

In exercise of powers conferred by section -64 and sub-section-(1) & (2) read with Section -181of Electricity Act,2003 and all other powers enabling on that behalf, and in supersession of the Notification No.17/TERC/04 dated, Agartala, the 13 May,2005 published on September 19,2006 in the Tripura Gazette, Extraordinary, **Tripura Electricity regulatory Commission** hereby makes the Regulations:-

1. **Short title, Commencement and Interpretation:**

- I. These Regulations may be called the **Tripura Electricity Regulatory Commission's (Miscellaneous Provision relating to Petitions. Fees), Regulations 2011.and these may be read in conjunction with TERC, Conduct of Business Regulations (CBR) 2004.**
- II. These shall come into force from the date of the publication in the Official Gazette otherwise specified and shall be concurrent within the jurisdiction of TERC.
- III. The words and expressions used in this regulation shall have following meaning  
The Tripura General Clause Act shall apply to the interpretation of this jurisdiction unless the context otherwise requires.
  - a) **"Act"** means the Electricity Act, 2003.
  - b) **"The applicant "**means the person who has made an application for determination of Tariff or for any matter in consideration of the Commission as per the provisions of the Act.
  - c) **"Application"** means the application along with Annexure and enclosures and payable fees made to the Commission for determination of tariff and others; Rules made under the Act.
  - d) **"Commission"** means, the Tripura Electricity Regulatory Commission in constituted under the Section -82 of the Tripura Electricity Regulatory Commission.
  - e) **"Utility/Licensee"** means any person engaging in Generation, Transmission, Sale, Distribution or Supply of Electricity;
  - f.) **The Words** and expression used but not defined in these Regulations shall have the meaning assigned them under the Act..
- IV. The Tripura General Clause Act shall apply to the interpretation of this jurisdiction unless otherwise indicated in these regulations or inconsistent with the provisions of the Act, 2003.

**Presentation of petitions, application, objections, replies etc.**

- (I) All petitions, applications ,objections, replies, documents etc. shall be filed in 6(six) copies before the Secretary or designated receiving Officer at the Head

Office of the Commission during the working hours on all working days in accordance with the provisions of TERC (CBR) ,2004.

- (II) The application shall made in the form appended and shall be accompanied by such fees as specified in these regulation.
- (III) The applicant shall Post complete application on its own Website or any other authorized Website to be made known to public before making the application to the Commission
- (IV) Address to the Website where on the application posted should be intimated to the Commission .The application should be kept in the Website for one month at least.
- (V) The application shall be supported by affidavit of the person acquainted with the facts stated in the application.
- (VI) The applicant shall within the 7 days after making the application ,publish on it's own application, at least 2(two)daily News papers, one in English and another one in vernacular language having circulation in the State of Tripura.
- (VII) The suggestion and objection if any, to proposal for the determination of the tariff may be filed before the Secretary, TERC by any person within 30(thirty) days of publication of this notice.
- (VIII) The application shall within 7(seven) days from the date of publication of the notice as aforesaid submit to the Commission through an affidavit , the details of the notice published and shall also file copies of the notice where a notice has been published .(As per **Schedule –I annexed**).
- (IX) The applicant may file his comments on the suggestion/objection if any received in response to the public notice within 45(forty-five) days of its publication.
- (X) A copy of the application made for determination of tariff hall be posted on the Website (address of the Website ).The copy of the application shall also be made available for inspection in the Office of the applicant with the designated Officer of the applicant 's authorized person whose particulars are given below:-
- Name;
  - Address;
  - Telephone No
  - Any particulars of the official
- (XI) The suggestion /objection, if any of the application may be filed by any person before the Secretary, TERC with a copy to the applicant within 30 days from the publication of the notice.
- (XII) **Decision on Application-**
- The Commission may after considering the suggestions objections received in response to the public notice-
- (a.) Issue the tariff order accepting the application with such modification or such condition as may be specified in the order .Provided that the Commission may in

its discretion ,afford an opportunity of hearing to the applicant ,consumer, stakeholder ,any person who has files any suggestion or objection or any one or more them before issuing the tariff order.

(b.) Reject the application for reasons to be recorded in writing if such application is not in accordance with the provision of the Electricity Act, 2003, the rules or regulations made there under or the provision of any other law for the time being in force.

Provided, the applicant shall be given a reasonable opportunity for being heard before rejecting the application.

(c.) The Commission shall, within 7 days of making the order send a copy of the order to the State Government, the CEA , the applicant.

### **3. Member of professional bodies to represent before the Commission-**

(1) The Commission specified the following professional bodies for the purpose of regulation 32(v) of the Tripura Electricity Regulatory Commission, CBR in addition to the registered legal practitioner/Advocates:-

- (a.) Institute of Charter Accounts of India.
- (b.) Institute of Cost and Works Accounts of India .
- (c.) Institute of Company Secretaries of India.

(2) The Vakalatnama or the authority letter shall be in the form as specified in Annexure-1, The memorandum of appearing for representing the party shall be in the form as given in Annexure-II.

### **4. Fees on petitions, application etc.**

Any petition/application etc. filed before the Commission shall be accompanied by the fee as may be specified or as has been specified in the schedule enclosed as **Annexure-III**. The fees can be revised at any point of time at the sole discretion of Commission .The fee shall be payable by means of Account payee demand draft/pay order payable at Agartala in favour of Tripura Electricity Regulatory Commission .Payment in cash may also be accepted up to an amount of Rs. 1000/- (One thousand) only in each case against stamp receipt.

Provided that the RLDC's /SLDC's and the Consumer Groups/Associations /Societies registered with the Commission are exempted from payment of prescribed fees except for fees for inspection and obtaining certified copies .Provided further that no fees is payable on filling objections or replies in response to a petition or application.

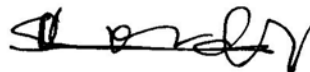
5. **Procedure for registration of Consumer Groups/Association/ Societies-**

- (1) Procedure for registration of consumer groups (associations/societies) shall be in the proforma as in **Annexure-IV** and will be accompanied by a fee of Rs.500/- (Rupees five hundred) only per annum.
- (2) No application shall be entertained if not properly filled in or signed by authorized signatory.
- (3) No recognition shall be given to such bodies unless its area of activity covers Tripura and filed of activity is in the Power sectors.
- (4) No recognition shall be given to a group (Association/Societies) unless they have a valid registration and has worked for at least 3(three) years in required field.
- (5) No recognition shall be given unless such body has furnished its audited account for last 3(three) years.
- (6) The Commission may de-recognize any group or association or society if after the recognition given it is found that any information/data given to the Commission was not correct.
- (7) If any application for registration is rejected on the ground of lack of required information, the group /association /society may apply afresh.

6. **Repeal and Saving**

- (1). Tripura Electricity Regulatory Commission (**Miscellaneous Provision relating to Petitions. Fees), Regulations2005** is hereby repealed.
- (2). Notwithstanding such repeal , but without prejudice to the Application of Section 6 of General Clauses Act,1897 (10 of 1897) anything done or any action taken or purported to have been done or taken under or in pursuance of the Regulation so repealed shall , in so far as it is not inconsistent of the provisions of this Regulation , be deemed to have been done or taken under or in pursuance of the corresponding provision of this Regulation

By Order of the Commission

  
Secretary, <sup>17/8</sup>  
2011

Tripura Electricity Regulatory Commission

Annexure-1

[See Regulation-3(2)]

**BEFOR THE TRIPURA ELECTRICITY REGULATORY COMMISSION, AGARTALA**

\* Petition No. \_\_\_\_\_

**IN THE MATTER OF**

\_\_\_\_\_ **Petitioner**

**Vs**

\_\_\_\_\_ **\*Respondent**

I .....Practicing /working as .....Having being authorized by....., to act as his/its representative /agent in the above matter and to do all or any act on behalf of the above named petitioner /respondent in all matters in the aforesaid case.

**Place** \_\_\_\_\_

**Signature**

**Date** \_\_\_\_\_

**Name & Address**

Certified that I have given the above authority and I have powers to give such an authority .Change if any, will be duly registered with the Commission and I will continue to be bound by the act ,action and /or other submission /undertaking etc. made/given by him /it before registration of such change.

**Signature**

\_\_\_\_\_  
**Name & Address**

\* If applicable.

**Annexure-II**

[See Regulation-3(2)]

**BEFORE THE TRIPURA ELECTRICCITY REGULATORY COMMISSION, AGARTALA**

\*Petitioner No. \_\_\_\_\_

**IN THE MATTER OF**

\_\_\_\_\_ Petitioner

Vs

\_\_\_\_\_ \* Respondent

**Memo of Appearance**

I.....Practicing/working as .....

Having being authorized by ....., to act as his/its representative /agent in the above matter and to do all or any act on behalf of the above named petitioner/respondent in all matters in the aforesaid case do hereby enter appearance on behalf of .....

Place \_\_\_\_\_

Signature

Date \_\_\_\_\_

Name & Address

\_\_\_\_\_

\* If applicable.

**SCHEDULE OF FEES**

Sl.No.	Nature of petition/application etc.	Fees
1.	Petition for determination of tariff except transmission tariff.	Paisa 4 Each 20 Kwh Proposed to be Sold Subject To A Minimum of Rs.5 Lakhs and max .of Rs.20 Lakhs.
2.	Petition for determination of transmission tariff.	Paisa 1 for each 100 Kwh proposed to be transmitted subject to a minimum of Rs.1 lakh and maximum of Rs. 15 Lakhs.
3.	Petition /application for review of tariff order.	50 % of above as the case may be.
4.	Petition /application for approval of Power Purchase or procurement process.	Rs. 5 Lakhs per 100 MW or part thereof subject to a max of Rs. 15 Lakhs.
5.	Petition/application for review of order for approval of Power Purchase or procurement process.	Rs.3 Lakhs.
6.	Petition for grant of Transmission licence- (a) Processing fee with application.	Rs. 2 lakh
	(b) For grant of licence.	Paisa 1 for each 100 Kwh of energy proposed to be transmitted subject to a minimum of Rs.5 Lakhs and maximum of Rs.20 lakhs plus annual payments or 20% of this amount during validity of Licence.
7.	Petition/Application for Review of order on Petition/Application for grant of transmission Licence. .	Rs.1.5 lakh.
8.	Petition for grant of exemption from Transmission Licence. (a) Processing fee with Petition /Application.	Rs.5 Lakhs.
	(b) Review Petition /Application.	Rs.1 lakh.
9.	Interlocutory Application	Rs.1 lakh.
10.	Any other Petition/Application.	Rs. 1.5 lakh.
11.	Request for inspection of documents permitted to be inspected.	Rs. 100.00 for every two hours of inspection or part thereof and Rs. 50/- for Association/Society.
12.	Request for obtaining certified copies as may be permitted.	Rs. 2.00 per page of copy allowed and Rs. 1.50 per page of copy for Association /Society.
13.	Application for rectification of order on ground of clerical error /mistake.	Rs.1000/-
14.	Other matters not covered above.	As may be decided by the Commission from time to time.
15.	Annual Fees for Licensee	Rs.15.00 Lakhs .As part-B Sl.No.18.1 (a) of TERC (Grant of Licensing and Terms and Conditions of Licence), Regulation 2005.
16.	Petition for Fuel and Power purchase cost adjustment (FPPCA) charges	.04%of the difference of cost adjustment
17.	Petition for determination Generation Tariff	
	a).Conventional Fuel based Plant	Rs.7000/=MW or part thereof of Installed capacity.
	b). Non Conventional and renewable sources of energy including Co-generation	Rs.2000/=MW or part thereof of Installed capacity subject to a minimum of Rs.5000/=Application



**TRIPURA ELECTRICITY REGULATORY COMMISSION**

**APPLICATION FOR REGISTRATION OF CONSUMER GROUPS/ASSOCIATIONS/SOCIETIES ETC.**

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Sir,

We hereby apply for registration of our association/group/forum with your Commission.

1. Name & Address
2. Year of formation
3. Extent (Area of activity).
4. Whether registered under Societies Registration Act or other Act: (Please furnish details).
5. Period of validity of registration.
6. Members strength.
7. Field of activity.
8. Recognition, if any
9. Past achievement , if any
10. Names of three authorized representative in order or preference with their telephone no. etc.
11. List of office bearers.
12. Copy of memorandum of association-enclosed
13. Audited accounts of last three years.
14. Means of financing and list of major donors giving donation of more than 10% of the receipt of the association.

This is to certify that the above information is true to the best of my knowledge and nothing has been concealed there from .I declare that our association/group/society is not administratively or financially linked with any power utility.

We request you to kindly register our association with the Commission.

**Yours faithfully,**

**Authorized Signatory with designation & Seal**

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**SCHEDULE -I**

[See Rule-2(VIII)]

(to be published in persons of regulation)

1. Name of Licensee

(Registered office or Head of Office)

(a.) *(The Licensee has made an application before the Tripura Electricity Regulatory Commission , Agartala for determination of tariff for-*

(i). Generation/Transmission of tariff for station

(ii). Name

(iii). Location

(iv). Head of the Unit

(v). Capacity of the Station

(vi). Line length bay details, transmission system etc.

(vii). Approved capital cost of the project

(b.) Authority, which has approved the actual cost.

(c.) Schedule date of commercial operation

(i) Original

(ii) Final

(d.) Actual date of commercial operation

(i) Original

(ii) Final

(e.) Capital cost on the date of commercial operation

(f.) Details of Tariff

	Tariff of the previous year	Year wise tariff sought to be determined				
		1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	4 <sup>th</sup> Year	5 <sup>th</sup> Year
<b>Thermal Power Generation Station –</b> (1) Capacity Charges. (2) Energy Charges.						
<b>Hydro Power Generation Station-</b> (1) Annual fixed charges. (2) Primary energy charges.						
<u>Transmission system</u> -Transmission charges.						

**Signed by authorized signatory**