



The Federation of Telangana Chambers of Commerce and Industry

ISO 9001:2015

Empowering Industry, Commerce & Trade

Registered under the Companies Act, 1956

REGD OFFICE : Federation House, Federation Marg , 11-6-841, Red Hills, Hyderabad 500004, Telangana. India. Tel : 91-40-23395515 to 22 (8 lines), Fax : 91-40-23395525

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CIN U91110TG1964NPL001030

Suresh Kumar Singhal
President

FTCCI/Energy/2024-25/155

R.Ravi Kumar
Senior Vice President

K K Maheshwari
Vice President

Date: 26.09.2024

The Secretary,
TGERC,
Vidyut Niyamtran Bhavan,
Kalyan Nagar, G.T.S Colony,
Hyderabad

Dear Sir,

Sub: Statement of additional Comments/Objections on the Petitions (O.P. No. 07 & 08 of 2024) for the Additional Surcharge for H2 of the Financial Year 2024-25 by TGSPDCL and TGNPDCL

Ref: R.O. No. 298-PP/CL-AGENCY/ADVT/1/2024-25 Dated 03.08.2024

The Federation of Telangana Chambers of Commerce and Industry is hereby submitting its additional comments/objections on the petitions (OP No. 07 & 08 of 2024) for the Additional Surcharge for H2 of the Financial Year 2024-25 by TGSPDCL and TGNPDCL as per the notice issued by Hon'ble Commission on 3rd August 2024.

We request to accept the same and provide us opportunity to appear before the Hon'ble Commission in person during the Public Hearing and submit additional comments/objections, if any.

Thanking you,

Yours sincerely,

T Sujatha
Sr. Director

Copy to:

1. Chief General Manager(RAC), TGSPDCL
2. Chief General Manager (IPC & RAC), TGNPDCL



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Senior Vice President

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Before the Honourable Telangana State Electricity Regulatory Commission

The Federation of Telangana Chambers of Commerce and Industry (FTCCI)

**Statement of Additional Comments/Objections
on
the Petitions (O.P. No. 07& 08 of 2024) for determination
of Additional Surcharge to be levied on Open Access
Consumers for the H2 of the Financial Year 2024-25**

filed by

**Southern Power Distribution Company of Telangana
Limited (TGSPDCL)**

&

**Northern Power Distribution Company of Telangana
Limited (TGNDCL)**

September, 2024

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1. FTCCI thanks the Honorable Commission for allowing us to place on record our written submissions during the hearing on 18-9-2024 and also present our case.
2. We explained that the OP-7 & 8 of 2024 , On claims of ADDITIONAL SURCHARGE FOR OA CONSUMERS should be rejected *inlimineas* the data purported to have been uploaded on TGERC WEBPAGE was all garbled and NOT decipherable for any study or analysis. Both the DISCOM & TGERC officials crossedchecked the data uploaded and confirmed that data is corrupted or is garbled and confirmed with/ to the Honorable Commission. We reconfirmed that as early as 22nd August we had conveyed in written to this Honorable commission that the data sheets in the uploaded TSERC webpage is corrupted / GARBLED.
3. We stated that while Section 42(4) permits the DISCOMs to collect the ADDITIONAL SURCHARGE as specified by the SERC to meet its fixed cost arising out of its obligation to supply , but such a claim is not unfettered ,” BUT IS CIRCUMSCRIBED BY Clause 8.5.4 of Tariff policy ,2016 dated 28.01.2018,” which states “ **The additional surcharge (AS)for obligation to supply asper section 42(4)of the act should become applicable only if it is conclusively demonstrated that the obligation of the licensee to supply, in terms of the existing power purchase commitments ,has been continuously stranded ,or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. The fixed costs related to network assets would be recovered through wheeling charges.**”
4. We pointed out that the claim of “AS” is applicable only if
 - That the asset withthe long-term contract (GENERATIONSTATION) has had to be backed off, continuously, due to an OA purchase of one or more consumers of the Distributed licensee. The nexus of only reason for the contracted being left stranded and an OA or multiple OA contracted has be ,as per NTP CLAUSE 8.5.4 2016 is to be conclusively demonstrated in terms of quantum of stranded asset ,date and times . That it iscontinuously stranded has to be demonstrated as per the NTP.
 - Thus, the nexus of quantum of contracted asset stranded has to demonstrated for filing any claim.

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- WE STATED THAT THE ONUS OF ESTABLISHING RESTS WITH THE DISCOMs.
 - We have explained with a case that a consumer with 2500 kva CMD and 2400 Kva RMD at 60% LF will not be able to any power from OA AT MORE THAN Rs 2.76 after paying Minimum MD, CSS and PROPOSED ADDITIONAL SURCHARGE OF Rs 1.60/kwh We therefore submitted that this claim negates any OA option for a consumer,making OA AN ILLUSION as it is ONEROUS NEGATING, NEP dated 12.02.2005. The SECTION 61(c),(g),(i).
5. We pleaded that the commission consider Ministry of Power RULES(Amendment) dated 10.01.2024 be read along with the commission's SUO-MOTU order OP No 23 of 2020 dt 18.09.2020
6. The Honorable Commission directed the DISCOMs to submit the data to establish their claim as Our pleadings cited in paragraph 4 above in compliance of the ACT, NTP AND NEP.

It is observed that the TG DISCOMs have purchased 18.2 Billion Units against an approved energy by the Hon'ble Commission of about less than 11.2 Billion units. This is exclusive of interstate and intra-state arrangements DISCOMs have made.

In the face of it, it is hard to believe that the miniscule purchase made by Open Access Consumers in the Telangana state has resulted in backdown of contracted assets.

We request the Hon'ble Commission to direct the DISCOMs describe which of their assets have been backed down due to OA purchase by the consumers, including their own purchase and why?

With a sense of regret and responsibility we submit that the DISCOMS have sent us a set of voluminous data numbers on 19-9-2024 WITHOUT ANY correlation BETWEEN QUANTUM OF OA PURCHASE AND SHOW THAT A CONTRACTED ASSET HAS BECOME STRANDED DUE TO THE OA PURCHASE.

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WITH A DEEP SENSE OF REGRET, WE BELIEVE THAT WE CONSUMERS ARE BEING THROWN UNDER THE BUS AND DISCOMs ARE INDULGING IN DATA OBFUSCATION.

We now request this Honorable commission to direct the DISCOMs to submit data to establishing stranded capacity in Generation station, as per clause 8.5.4 of THE NTP 2016, since the onus is on DISCOM to establish their claim for Additional Surcharge.

For The Federation of Telangana Chambers of Commerce and Industry (FTCCI),

Place: Hyderabad

Date: 26.09.2024



T Sujatha

Sr. Director, FTCCI

Copy Communicated to:-

1. The Chairman/TGERC,
2. The Member/Technical/TGERC,
3. The Member/Finance/TGERC