

ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAVAN, UNIT – VIII
BHUBANESWAR – 751 012
FAX : (0674) 2395781, 2393306

NOTIFICATION

No.1992 Dated the 31st August, 2009

In exercise of its power under Section 86(1)(g) of the Electricity Act, 2003 read with Regulation 10(5) of the OERC (Conduct of Business) Regulations, 2004, the Commission fixes fees for filing of petitions or applications before the Commission as per the Schedule of Fees as mentioned in the enclosed schedule.

1. This Notification shall come into force with effect from the date of its publication in Official Gazette.
2. Every petition/application made to the Commission shall be accompanied by such specified fees. No petition/application shall be entertained by the Commission unless the petitioner or applicant pays the fees therefor, in accordance with the prescribed Schedule provided that in any particular case, on the prayer of the petitioner or applicant etc, the Commission may exempt wholly/ partially any person, organization or institution etc from the payment of fees aforesaid by recording the reasons in writing.
3. The fees shall be paid by means of Bank Draft/Pay order in favour of “Orissa Electricity Regulatory Commission” payable at Bhubaneswar or may be paid in cash in the Accounts Section of the Commission by obtaining the cash receipt. The original Bank Draft/Pay order/ Cash receipt shall accompany the petition or application.
4. (i) There shall not be any fee for initiation of suo-motu proceeding by the Commission.
(ii) *That the licensees operating in the State under the licence issued by the Commission or deemed licensee u/s 14 of the Electricity Act, 2003, paying annual licence fees to the Commission, shall not pay any fee under this notification.*

(iii) If two or more prayers are included in the petition / application the fee for all the categories should be paid by the petitioner / applicant.

(iv) There shall not be any fee for filing of objections / views in response to public notice published by the Commission in its website /newspapers.

(v) There shall not be any fee for filing of petition by SLDC(s), RLDC, RPC(s), State & Union Government.

5. Fees once paid shall not be refunded even in case of return / non-admission of the petition or application by the Commission for want of jurisdiction or otherwise. However, the Commission, in any particular case may decide that the fees paid by any party be refunded in full or in part in case of withdrawal of the petition before fixation of date of hearing.
6. All the above fees received by the Commission shall be entered into the Fees Register maintained in the Accounts Section and shall be deposited in the OERC Fund Account.
7. The Commission may, at any time amend the prescribed Schedule of Fees without any prior notice.
8. The Commission may, by general or special order, make provision for payment of fees for any category of applications/petitions etc. not covered under the 'Schedules of Fees' attached to this notification.
9. With regard to amount of fees to be paid, the decision of the Commission shall be final.

By Order of the Commission

(P.K. SWAIN)
SECRETARY

| SCHEDULE OF FEES | | |
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| FOR FILING APPLICATION/PETITION BEFORE OERC | | |
| SL. No | Description | Fees |
| 1 | Adjudication of dispute regarding availability of transmission facility under the second proviso to sub-section (2) of Section 9 under the Act , to be paid by the person who has referred such dispute to the Commission. | Upto 5MW-Rs.10,000/- (Rs. Ten Thousand) and Above 5MW-Rs.25,000/- (Rs. Twenty Five Thousand) |
| 2 | Petition for grant of exemption from license and Annual fee for the licensee/deemed licensee who has taken exemption from licence under Section 13 of the Act . | Application fee Rs.5,000/- (Rs. Five Thousand) & Renewal fee Rs.1,000/- (Rs. One Thousand) per year for subsequent years |
| 3 | Application fee for grant of license under Section 15(1) of the Act | As prescribed by the State Government. |
| 4 | Annual Fee | |
| | (a) to transmit electricity as a transmission licensee; | Rs.1 Crore (Rs. One Crore) |
| | (b) to distribute electricity as a distribution licensee; | Rs.1 Crore (Rs. One Crore) |
| | (c) to undertake Bulk Supply and trading Activity (GRIDCO); | Rs.1 Crore (Rs. One Crore) |
| | (d) to undertake trading as an electricity trader | Rs.1,00,000/- (Rs. One Lakh) per year for trading upto 50 MU/Year. Rs.2,50,000/- (Rs. Two Lakhs Fifty Thousand) per year for trading above 50 MU per year. |
| 5 | Application seeking prior approval under Section 17 of the Act | |
| | (a) to undertake any transaction to acquire by purchase or takeover or otherwise the utility of any other licensee under Section 17(1)(a) or merge his utility with the other utility of any other licensee in the State under section 17(1)(b) | Rs.5,00,000/- (Rs. Five Lakhs) |
| | (b) to assign his license or transfer his utility or any part thereof by sale, lease, exchange or otherwise at any time under section 17(3) | Rs.5,00,000/- (Rs. Five Lakhs) |
| 6 | Application for amendment of licence u/S 18 of the Act | |
| | (a) by licensee | Nil |
| | (b) by any person other than a licensee | Rs.10,000/- (Rs. Ten Thousand) |
| 7 | Application for revocation of licence under Sub-Section (2) of Section 19 of the Act | By Licensees- Nil. By Others - Rs.10,000/- (Rs. Ten Thousand) |
| 8 | Application for invoking power of the Commission u/S 23 of Electricity Act, 2003 . Direction to the licensee for regulating supply, distribution, consumption or use of electricity | Rs.5,000/- (Rs. Five Thousand) |
| 9 | Application for invoking power of the Commission u/S 24 of Electricity Act, 2003 . Order for suspension of Distribution Licence and sale of Utility. | Rs.5,000/- (Rs. Five Thousand) |
| 10 | Application under Section 33(4) of the Act if the dispute is referred by SLDC, or generating company or any other person. | Rs.10000/- (Rs. Ten Thousand) |
| 11 | Application to impose penalty under Section 33(5) of the Act upon any licensee, generating company or any other person filed by SLDC or any person. | Rs.5,000/- (Rs. Five Thousand) |
| 12 | (a) Application under Section 35 of the Act for seeking the use of intervening transmission facilities | Rs.20,000/- (Rs. Twenty Thousand) |
| | (b)Adjudication of dispute regarding extent of surplus capacity under the proviso to Section 35 of the Act | Rs.1,00,000/- (Rs. One Lakh) |
| 13 | Application for determination of rates, charges, terms and conditions under proviso to sub-section (1) of Section 36 of the Act . | Rs.1,00,000/- (Rs. One Lakh) |

| SL. No | Description | Fees |
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| 14 | Adjudication of disputes regarding provision of non-discriminatory open access under Section 40 of the Act. | |
| | (a) referred by a generating company other than captive generating plant, generating company based on renewable source of energy or cogeneration. | Rs.1,00,000/- (Rs. One Lakh) |
| | (b) referred by a captive generating plant, and /or generating company based on renewable source of energy or Cogeneration. | Rs.25,000/- (Rs. Twenty Five Thousand) |
| | (c) referred by a consumer | Rs.10,000/- (Rs. Ten Thousand) |
| 15 | Adjudication of disputes regarding provision of non-discriminatory open access under sub-section (2), (3) and (4) of Section 42 of the Act and regulations specified thereunder: | |
| | (a) referred by a licensee or by a generating company, other than a generating company based on renewable source of energy or cogeneration | Rs.1,00,000/- (Rs. One Lakh) |
| | (b) referred by a generating company or CGP directly connected to the distribution system of a distribution licensee or a generating company based on renewable energy or cogeneration | Rs.25,000/- (Rs. Twenty Five Thousand) |
| | (c) referred by consumer | Rs.10,000/- (Rs. Ten Thousand) |
| 16 | Application for exercise of power u/S 60 of Electricity Act, 2003 (Market domination). | Rs.5,000/- (Rs. Five Thousand) |
| 17 | Determination of tariff under the provisions of Clause (a) of sub-Section (1) of Section 62 | |
| | (a) Conventional fuel based (coal, oil etc) plant / hydel plants | Rs.5,000/- (Rs. Five Thousand) per MW and part thereof with a maximum of Rs.25,00,000/- (Rs. Twenty Five Lakhs) |
| | (b) generating company based on renewable sources of energy, including co-generation | Rs.2,000 (Rs. Two Thousand) per MW and part thereof with a maximum of Rs.5,00,000/- (Rs. Five Lakhs) |
| 18 | Disputes arising under Section 67 of the Act with regard to works of a licensee | For institutional /organisational complainant- Rs.5,000/ (Rs. Five Thousand). For individual complainant - Rs.500/- (Rs. Five Hundred). |
| 19 | Dispute raised by generating company for Adjudication under Section 86(1)(f) of the Act. | Rs.10,000/- (Rs. Ten Thousand) |
| 20 | Dispute raised by generating company for Arbitration under Section 86(1)(f) read with Section 158 of the Act. | Rs.25,000/- (Rs. Twenty Five Thousand) |
| 21 | Application for review of ARR /Tariff Order of the Commission. | |
| | (a) by the petitioner/ an institution / association/ company. | Rs.5,000/- (Rs. Five Thousand) |
| | (b) by an individual consumer other than at (a) above. | Rs.1,000/- (Rs. One Thousand) |
| 22 | Application / Petition processing fee for review of Order on approval of PPA | Rs.5,000/- (Rs. Five Thousand) |
| 23 | Application seeking review of any order on grounds of clerical error /mistake | NIL |
| 24 | Application for review of orders of Commission not covered elsewhere in this schedule | Rs.5,000/- (Rs. Five Thousand) |
| 25 | Application under Section 142 of the Electricity Act | |
| | (a) application made by any generator or any person other than an individual | Rs.1000/- (Rs. One Thousand) |
| | (b) by any individual | Rs.500/- (Rs. Five hundred) |

| SL. No | Description | Fees |
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| | (c) Cases of non-compliance of orders of consumers Grievances Redressal Forum (GRF) or the Ombudsman. | For individual -Rs.100/- (Rs. One Hundred). For institution/ organisation - Rs.1,000/- (Rs. One Thousand). |
| 26 | Petition under Section 27 of the Energy Conservation Act 2001 | |
| | (a) application made by any generator or any person other than an individual | Rs.1,000/- (Rs. One Thousand) |
| | (b) by any individual. | Rs.100/- (Rs. One Hundred) |
| | (c) application made by the appropriate Govt. or its officer in his official capacity. | Nil |
| 27 | Application under Clause 1.8 of Orissa Grid Code (OGC), 2006 for relaxation for provisions of OGC. | Rs.10,000/- (Rs. Ten Thousand) |
| 28 | Application (i) to set aside ex-parte order or to drop ex-parte proceedings and / or (ii) to restore any case which was dismissed in default | For individual -Rs.200 (Rs. Two Hundred). For institution/ organisation - Rs.1,000/- (Rs One Thousand). |
| 29 | Condonation of delay in filling of a petition | |
| | (a) by a generating company | Rs 1000/- (Rs One Thousand). |
| | (b) by any other person | Rs 500/- (Rs. Five Hundred) |
| 30 | Application for inspection of records/documents as per OERC (Conduct of Business) Regulations, 2004. | Rs 500/- (Rs. Five Hundred) per Day |
| 31 | Application for certified copy of the Commission's Order or pleadings or unprivileged /non-confidential documents filed in case matters OERC (Conduct of Business) Regulations, 2004 Fee on application, Fee per page | Rs.10/- (Rs. Ten) per application & Rs.2 (Rs. Two) per page. |
| 32 | Miscellaneous petition i.e. petition not covered elsewhere in this schedule | |
| | (a) by consumers other than individuals | Rs.500/- (Rs. Five hundred) |
| | (b) by individual consumers | Rs.100/- (Rs. One Hundred) |