

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL),
Corporate Office- Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Rejoinders to the objections received against the Aggregate
Revenue Requirement, Wheeling and Retail Supply Tariff
Application filed by TPNODL for the FY 2023-24.

Affidavit verifying the submission of TPNODL

I, Sri Pratap Kumar Mohanty, aged about 56 years, S/o. late Gyanendra Prasad Mohanty working as the Sr. GM (Risk, Regulatory & Legal), do hereby solemnly affirm and state as follows:

1. That, I am authorized representative of the TPNODL, the Respondent in the instant case and competent to swear this affidavit for and on behalf of TPNODL.
2. That, I have gone through the contentions in this submission and understood the contents thereof.
3. That, the facts stated in the submission are true to the best of my knowledge and belief.

Date: 17.02.2023

DEPONENT

Pratap Kumar Mohanty

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL),
Corporate Office- Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Rejoinders to the objections received against the Aggregate
Revenue Requirement, Wheeling and Retail Supply Tariff
Application filed by TPNODL for the FY 2023-24.

**Rejoinder to the objection received on the Aggregate Revenue Requirement , Wheeling
and Retail Supply Tariff Application of TPNODL for the FY 2023-24**

**THE ABOVE NAMED APPLICANT TPNODL, MOST RESPECTFULLY
SHOWETH:**

That, In compliance to letter no-Case No-83 /2022/34 dated 10.1.2023 of Secretary, OERC, the Public Notice on the ARR and Tariff application of the licensee have been published in the newspapers on dated 11.1.2023. A consolidated rejoinder to the objections received on the ARR & Tariff application of the licensee are submitted attached herewith.

Date: 17.02.2023

DEPONENT

Pratap Kumar Mohanty

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

1

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Ramesh Ch. Satpathy, Plot No-302(B), Behera Sahi, Nayapalli,
Bhubaneswar-751012, President, Upobhokta Mahasangha,
Bhubaneswar & Secretary, National Institute of Indian Labour

.....Respondent

Rejoinder to the objection filed by Sri Ramesh Ch. Satpathy against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

1. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order of Hon'ble Commission. Para wise reply to the points raised by the respondent on the ARR application of the licensee are furnished hereunder.
2. **Respondents View/ suggestion: Detail expenditure on different approved CAPEX scheme**

TPNODL Reply: TPNODL has proposed capital investment for the FY 2021-22 that shall be aligned with multiple initiatives and schemes so as to reduce AT&C losses, improve system reliability and augment the network to support the continuous load growth. With this objective of ensuring reliable power supply and ensuring best customer services

Hon'ble Commission has approved the Capex Plan for FY 21-22 for an amount of Rs.258.78 Crs. and Rs.326.54Crs. for FY 22-23. Division wise Capital Expenditure is attached as Annexure-I.

3. Respondents View/ suggestion: Detail particulars of ODSSP Scheme and steps taken to rationalise the demand.

TPNODL Reply: 69 nos. of ODSSP 33/11 KV PSS have been charged . All the PSS are under loaded except one PSS . We are exploring the feasibility to shift the Load of the nearby area to further load the PSS by installing the new 11 KV link line in case of underloaded PSS and transfer the load to the nearby PSS by installing the new 11 KV link line in case of over loaded PSS. For both the cases capex expenditure will be required.

4. Respondents View/ suggestion: Actual manpower in regular cadre of Executives , Non-executives functioning in TPNODL

TPNODL Reply: Actual manpower in regular cadre of executives, non-executives (both technical and non-technical) functioning in TPNODL is furnished under Table -8 of our application alongwith the plan for recruitment for ensuing FY , which may please be referred.

5. Respondents View/ suggestion: Division wise list of scrap materials

TPNODL Reply: The details of scrap have been furnished before the Hon'ble Commission in Format F-28 of ARR which may please be referred.

6. Respondents View/ suggestion: Service Conditions for workers working under BA

TPNODL Reply: TPNODL has executed contracts with third party agencies and assigned the various activity like MBC, 33KV maintenance, 11KV maintenance, enforcement etc on job contract basis. No such employee has been outsourced in TPNODL payroll for which service regulation is required.

7. Respondents View/ suggestion: Details of Electrical Accidents

TPNODL Reply: Details of Electrical accidents upto December'22 of the current financial year is furnished hereunder:

Particulars	Employees	BA	Public	Total Human	Animal
Upto Dec'22	0	5	17	22	8

Out of the total 22human fatalities, 17 nos. are public fatalities which are due to unauthorised access to live network. The details of electrical accidents are furnished

before the Hon'ble Commission in SOP report as well as details of every accident is submitted before Hon'ble Commission every month.

8. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

**C.C. to: - Sri Ramesh Ch. Satpathy, Plot No-302(B), Behera Sahi, Nayapalli,
Bhubaneswar**

Annexure-I

Name of Division	Capital Expenditure (In Crs)
AED ANADAPUR	4.81
BED BALASORE	10.53
BNED BHADRAK	8.52
BPED BARIPADA	9.41
BSED BHADRAK	5.66
BTED BASTA	3.51
CED BALASORE	8.30
CORPORATE	63.91
EC BALASORE	3.03
EC BARIPADA	1.48
EC BHADRAK	0.49
EC JAJPUR	1.35
EC KEONJHAR	0.57
JED JODA	3.74
JRED JAJPUR	11.83
JSED JALESWAR	5.97
JTED JAJPUR	5.98
KED KEONJHAR	5.61
KUED KUAKHIA	5.81
RED RAIRANGPUR	5.48
SED SORO	6.87
UED UDALA	2.74
Grand Total	175.59

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.
.....**Applicant**

AND

IN THE MATTER OF: Reliance Jio Infocomm Limited Wing A&B, First Floor , Fortune
Tower, Chandrasekharpur, Bhubaneswar, Odisha - 751023
.....**Respondent**

Rejoinder to the objection filed by Reliance Jio Infocomm Limited on the Aggregate Revenue Requirement & Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

- 1. Respondent's view/objection:** State Electricity Board Tariff Orders to kindly consider Telecom Industry electricity tariff under Industrial rates rather than the commercial rates to bring the tariff on par with the IT Services and other industries.

TPNODL Reply: The licensee submits that the learned objector has requested for consideration of billing to them under Industrial category instead of General Purpose (Commercial). They have also stated that in Andhra Pradesh they are billing under industrial segment. In this context it is to state that, telecom industries (Towers) as covered under General purpose category as per existing OERC Distribution (Conditions of Supply) Code, 2019 under Chapter-VIII (Classification of Consumer). As regards to tariff of different other states is appended below:-

	States	Industrial Rate	Commercial Rate
1	Chhattisgarh	Rs. 5.15 per kW per month	Rs. 7.55 per kW per month
2	Andhra Pradesh	Rs. 6.70 per kW per month	Rs. 10.15 per kW per month
3	Bihar	Rs. 6.40 per kVAh per month	Rs. 7.40 per kW per month
4	Maharashtra	Rs. 6.05 per kW per month	Rs. 10.79 per kW per month
5	Delhi	Rs 7.75 per kW per month	Rs. 8.50 per kVAh per month

From the above table it can be seen that other states have higher Industrial rate and commercial tariff for same load whereas Odisha has cheaper commercial rate. In Odisha if power supply in LT, then slab rate is applicable, where rate of initial slab is Rs.5.90 per unit and in case of HT supply the rate for consumption up to 60% LF is Rs.5.85 per unit and for consumption of more than 60% LF it is as cheaper as Rs.4.75 per unit.

It is further to state that the nature of business of Telecom Company is neither carrying out any process of manufacturing or supply or production of any goods rather it is simply rendering services to the customers as like of any consumers billed under commercial rates. Therefore, the present applicable GP rate for Telecom segment is appropriate.

2. The, reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement & Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred.

For and on behalf of
TP Northern Odisha Distribution Ltd

Place: Balasore
Date: 17.02.2023

Sr. General Manager (RR&L)

C.C. Reliance Jio Infocomm Limited, Wing A&B, First Floor, Fortune Tower,
Chandrasekharapur, Bhubaneswar, Odisha - 751023

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj,
Odisha.

.....Applicant

AND

IN THE MATTER OF: North Odisha Chamber of Commerce and Industry(NOCCI),
Ganeswarpur Industrial Estate, Januganj, Balesore-756019

.....Respondent

**Rejoinder to the objection filed by North Odisha Chamber of Commerce and Industry
(NOCCI) on the Aggregate Revenue Requirement & Wheeling and Retail Supply Tariff
Application filed by TPNODL for the FY 2023-24**

1. That, TPNODL has filed the Annual Revenue Requirement and Retail Supply Tariff Application for the financial year 2023-24 under section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms & Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022 and OERC (Conduct of Business) Regulations, 2004 .
Reply to the points raised by the Ld. Objector are furnished hereunder.
2. **Respondent's view /suggestion :**TPNODL has proposed to fix demand charges for HT Medium category of consumers @Rs.250/KVA p.m

TPNODL Reply:

The detail justification for the proposal has been given in the application. The applicable demand charges and energy charges to the quoted category of consumers under HT are alongwith their energy charges are given in the following tables:

Category of Consumer	Voltage of Supply	Demand Charge (Rs./KVA)
Specified Public Purpose	HT	250
General Purpose >70<110KVA	HT	250
HT Industrial (Medium)	HT	150
Large Industrial	HT	250

The applicable energy charge is same for all the above categories:

Energy Charge (Paise/KVAh)	
Load Factor(%)	HT
≤60%	585.00
>60%	475.00

As the network corridor under same supply voltage is used to supply the required quantum of power to all the above categories – there should not be any disparity in the demand charges, when energy charge is same for all these categories

Further, this is creating a disparity between different categories of consumers availing supply under the same supply voltage.

3. Respondent's view /suggestion :TPNODL has proposed to rationalise MMFC for LT Category of consumers

TPNODL Reply:

The detailed justification for the same has been given in the application . The applicant completely agrees with the objector as far as the provisions of applicability of section 62 (3) of EA, 2003 is concerned. No undue preference should be shown to any category. If provision of equal MMFC for 1st KW as well as additional KW or part thereof is applicable that should be applicable for all categories under LT .

4. Respondent's view /suggestion :TPNODL proposes to consider the actual average Load Factor for all types of consumers during assessment:

TPNODL Reply:

The detailed justification for the same has been given in the application of the licensee.

5. Respondent's view /suggestion : TPNODL has proposed that the consumers availing renewable power through open access to pay wheeling charges and cross subsidy charges

TPNODL Reply:

Detail justification has been given in the application of the licensee. As mentioned by the Ld. Objector, Odisha Renewable Energy Policy 2022 has been notified in November'2022. In Odisha Renewable Energy Policy 2022, Govt. of Odisha has extended relaxation in CSS, wheeling and STU charges as well as ED.

Fifty percent (50%) exemption of Cross-Subsidy Surcharge, 25% exemption on wheeling charges and exemption of 20paise per unit has been provided to open access consumers,

on consumption of energy from RE projects commissioned in the State during the Policy period for fifteen (15) years.

The relaxation granted under State RE Policy is for consumption of energy from RE projects commissioned in the state, not outside the state. So, there is no justification in relaxing the applicable charges for consumption of energy from RE projects commissioned in other states.

6. Respondent's view /suggestion: TPNODL proposed to revise reconnection charges:

TPNODL Reply:

The justification for revision of reconnection charges have been detailed in the application of the licensee.

7. Respondent's view /suggestion: Submission of Business Plan by the applicant.

TPNODL Reply:

The OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 was notified on 23rd December'2022. The timeline specified in the said regulation was 31st January'2023. Keeping in view the time required for preparation and consolidation of the required data for Business Plan for the full control period, the applicant has submitted the Business Plan for the FY 23-24 .

8. Respondent's view /suggestion: Human Resource Expenses

TPNODL Reply: The Ld objector has given a comparative figure of the expenses starting from 2010-11. This will not be out of place to mention here that, over the decades there has been no recruitment and only after obtaining approval of Hon'ble Commission, the applicant has made a comprehensive recruitment plan and made recruitments at strategic locations. Further, the employee cost over the years should have been seen alongwith the inflation over the years.

The detail manpower recruitment plan has already been submitted before Hon'ble Commission. As per OERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022, the applicant has submitted the required details in the prescribed format.

9. Respondent's view /suggestion: R&M Expenses and other cost components

TPNODL Reply:

The Ld Objector has given a comparative presentation of all the cost components year on year starting from 2010-11. This is pertinent to mention here that, TPNODL started operation with effect from 1.4.2021 in compliance to the provisions in Vesting order of

Hon'ble Commission in Case No-9/2021 dated 25.3.2021. The license of erstwhile DISCOM was revoked due to inability on its part to achieve the performance targets alongwith other non-achievements /violations. The present applicant has been granted license with certain performance targets with specified timelines. Accordingly, the licensee has prepared its plan of action and started its operation . Therefore, comparing the parameters with that of the erstwhile Utility does not have much relevance.

The projections of the licensee are required to be viewed in reference to its own performance. However, the detail justification against each projection have been submitted by the applicant in its application.

10. Respondent's view /suggestion: Provision of Bad Debt – non submission of Audited accounts.

TPNODL Reply:

The applicant has submitted the audited annual accounts for the 1st year of its operation before Hon'ble Commission. The same is also available in TPNODL website. The licensee has done the provision for bad debt a per the OERC (Terms and Conditions for Determination of Retail Supply Tariff and Wheeling Tariff) Regulations, 2022.

11. Respondent's view /suggestion: Aggregate Revenue Requirement of the licensee should be reduced considerably.

TPNODL Reply:

TPNODL Reply: The Ld objector has compared the revenue requirement of the licensee with that of the erstwhile utility since FY 11 which is quite baseless. No proper justification has been given by the Ld objector in his contention.

12. Respondent's view /suggestion: Distribution loss may be approved by the Hon'ble Commission at a reduced level

TPNODL Reply:

This is to inform the Ld. Objector that the present license has been issued by Hon'ble Commission with certain performance targets. One of such parameter is AT &C loss. Hon'ble Commission has already fixed the AT& C loss level upto FY 31in the Vesting order of the licensee which is reproduced hereunder:

“ 41. AT&C Loss Trajectory for tariff determination

(a) As part of the RFP, the Commission provided the following 10-year AT&C loss trajectory to be adopted for determination of tariff for period FY 2021-22 to FY 2030-31:

Table 4: 10-year AT&C Loss Trajectory for Tariff Determination

<i>AT&C Loss Trajectory for Tariff Determination (%)</i>									
<i>FY22</i>	<i>FY23</i>	<i>FY24</i>	<i>FY25</i>	<i>FY26</i>	<i>FY27</i>	<i>FY28</i>	<i>FY29</i>	<i>FY30</i>	<i>FY31</i>
<i>19.17</i>	<i>19.17</i>	<i>17.09</i>	<i>15.00</i>	<i>13.83</i>	<i>12.76</i>	<i>11.77</i>	<i>10.85</i>	<i>10.00</i>	<i>9.50</i>

13. Respondent’s view /suggestion: Projection of EHT, HT and LT sales

TPNODL Reply:

For projecting the consumption of different categories, TPNODL has analyzed and relied on the past trends of consumption pattern for last ten years and actual sales data for the first six months of FY 2021-22, the impact of electrification of household to be constructed in ensuing year under PMAY (Prime Minister Abas Yajona), left out household not electrified till date under various schemes, actual addition/reduction of loads and other factors like increasing drawl of power through open access.

In the FY 2020-21 and FY 2021-22, the sales in each category have been impacted due to Covid- 19 in the state. The sales have been reviving since then. Therefore, the projection for the FY 2023-24 has been done based on the actual of recent months sales keeping in view the past trend and considering the EHT and HT sales of individual consumer wise. State Govt. has announced 10.5trillion of investment. But materialization of industrial projects do have a definite gestation period and also procedural requirement for checking the network availability. The licensee has considered individual consumer/prospective consumer wise load keeping in view their individual load materialization period. The information has been submitted before Hon’ble Commission .

14. **Respondent's view /suggestion: High cross subsidy surcharge. OERC should take steps to reduce CS and CSS .**

TPNODL's reply:

The contention of the Id. Objector that due to high cross subsidy surcharge, the industries are not able to go for availing power supply through open access is not true. A comparative statement of the no. of consumers availing power through Open Access and the corresponding quantum given in the following table.

Particulars	FY 18-19	FY 19-20	FY 20-21	FY 21-22
No. of Consumers availing power supply through open access	11	13	16	18
Total units availed through Open access (in MU)	1250.69	1333.89	1522.122	1549.136

From the above table, it can be seen that the no. of consumers availing open access as well as the quantum of power availed through open access has increased year on year.

Further, the Ld Objector may refer to para 84 and 85 of RST order FY 23. The computed cross subsidy surcharge for DISCOMs have been given in table -24. In view of the mandate of Electricity Act'2003 under section 42, the cross subsidy surcharge is to be reduced progressively for which Hon'ble Commission fixed the CSS at 67% of the computed values.

15. **Respondent's view /suggestion: The attitude of TPNODL towards conducting business is monopolistic.**

TPNODL Reply: The contention of the objector that the licensees attitude towards conducting business is monopolistic is totally false and baseless.

The licensee is taking all steps to develop a customer centric environment. The steps taken by the licensee in its journey of transformation starting from 1.4.2021 have been elaborated in its application. In its endeavour to develop a reliable network with adoption of latest technologies, the licensee needs support and cooperation from all its stakeholders.

The Ld. Objector is requested to bring the individual cases to the notice of the licensee, if any deviation has been noticed, so that necessary steps can be taken by the licensee.

16. Respondent's view /suggestion -6% on Service Connection estimate

TPNODL Reply:

Any work that is to be executed by the engaging a licensed Electrical contractor, the work is to be done under the overall supervision and specification of the licensee . Therefore, the provision of 6% supervision charge is there.

17. Respondent's view /suggestion – Security Deposit by means other than cash

TPNODL Reply: The relevant extract on payment of SD from regulation 52(iv) of OERC Distribution (Condition of Supply) code, 2019 is provided hereunder:

“The security deposit shall be paid in cash or by bank draft or by electronic/digital payment. It may also be paid by cheque or by credit card, where specifically allowed by the licensee/supplier”.

Further, regulation provides for interest on the security deposit also. The above provision makes the required amount available with the licensee, which can be utilised without any additional time involvement, in case it will be required to adjust the security deposit. This ensures payment security to the licensee. This matter has already been addressed by Hon'ble Commission in previous Tariff proceedings

18. Respondent's view /suggestion –Surcharge on late payment of SD

TPNODL Reply: The provision of delayed payment surcharge is not to enrich the licensee by 7%-8%. The very aim of the provision is to develop the culture of payment within the stipulated time among the consumers. Because of this provision, the consumer will be persuaded to make payment within the stipulated time. Therefore, the apprehension of the Ld Objector regarding enriching the licensee by this extra amount is baseless.

19. Respondent's view /suggestion- To D Benefit- A differential tariff for peak and off peak hours is necessary to promote demand side management

TPNODL Reply:

ToD benefit has already been extended by Hon'ble Commission for all three phase consumers with static meters excluding Public Lighting, Emergency Supply to CGP, LT Domestic, LT GP, @20Paise per unit for energy consumed during off-peak hours. The intention of Hon'ble Commission is to shift the load of the consumers from peak hours to no-peak night hours. That is quiet in concurrence with the contention of the Ld objector. But the licensee is not in agreement with the proposal of increasing the ToD benefit from 20 paise to 50paise.

The load curve is almost flat now. By increasing the TOD benefit more, the peak hours may be shifted to night hours.

20. The, reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement & Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: North Odisha Chamber of Commerce and Industry(NOCCI), Ganeswarpur Industrial Estate, Januganj, Balesore-756019

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Priyabrata Sahu, S/O- Late Adikannda Sahu, At-Bijaya Bihar, 3rd Lane, PO-Berhampur, Dist-Ganjam-760004.

..... Objector

Rejoinder to the objection/suggestions filed by Priyabrata Sahu against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24

1. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order dated 25.3.2021 in Case No-9/2021 of Hon'ble Commission.
2. **Respondents View/ Objection:** The ARR of all Discom proposes an unnatural hike in expenditure in employees cost, Repair & maintenance cost and A&G expenditure which is double then the last year approved expenditure.

TPNODL Reply: Licensee has prepared the ARR as per the provision of OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022, therefore all the projection have been estimated in the ARR as per the norms and terms of the said regulation. The justification behind the projected cost has been also mention in the ARR Application against the respective expenditures.

3. **Respondents View/ Objection:** DPS on the Domestic & Commercial consumers @ 1.25%. The Licensee misinterpreting/misusing the provision of the regulation extracting money from consumers.

TPNODL Reply: : DPS collection is done by licensee as per the provision under Distribution (Condition of Supply) Code, 2019 regulation and directive of tariff orders. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution.

In case of initial connection the licensee is calculating the SD amount as per Supply code Regulation 52(i) & (ii) which is on normative basis however, in case of existing consumer if additional SD is required upon annual review the same is demanded on the basis of previous years actual consumption

- 4. Respondent's view/objection:** Bills of consumers are not served in the time and generated on provisional but same time rebate are not passed on to the consumer because of late serving.

TPNODL Reply: During initial operation phase of the licensee, issue in timely raising some of the consumer's bills was observed. However, at present scenario consumer can send the photograph of meter reading and meter no. over dedicated what's app no. (7777004759) and consumer can get his electricity bill in his what's app. Further, licensee is proving the rebate to applicable consumers as per the provision of Tariff Orders.

Further, Consumer always have the option to connect with Customer Service Center, Anubhava Kedra at Sub-division level, and through what's app no. for resolution of metering, billing, collection or any other issues.

- 5. Respondent's view/objection:** DISCOM are disconnecting the power supply without proper notice and they are not ensuring/confirming with reason at the time of disconnection.

TPNODL Reply: TPNODL is not disconnecting the supply without prior intimation to a bona- fide consumer. Disconnection of power supply is done as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation. However, objector is requested to bring the individual cases to the notice of the licensee for further clarification.

- 6. Respondents View/ Objection:** While calculating the interest on Capex loan is charged for whole year

TPNODL Rejoinder: The interest on Capex loan has been charged in a staggered manner instead of the whole year as objected. Further, interest on Capex loan has been capitalized instead of charge into revenue. For details applicable interest rate objector may please refer the respective financial format of ARR Application.

- 7. Respondent's view/objection:** Discom shall give the detail financial benefits derived from the Capex Plan on account of loss reduction and its impact on tariff.

TPNODL Reply: The detailed capex plan along with Detailed Project Report are furnished before the Hon'ble Commission each year as per provision of Vesting Order of licensee.

Accordingly, Hon'ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

- 8. Respondent's view/objection:** If any person requiring supply under LT or HT is prepared to take the supply through a pre-payment meter if available, the distribution licence/supplier shall not be entitled to collect the security deposit from such person.

TPNODL Reply: The licensee reciprocate the contention of the objector under prepaid meter regime obviously there shall be no claim of security deposit. However, the licensee shall abide the direction of the Hon'ble Commission in this aspect.

- 9. Respondent's view/objection:** The Security deposit shall paid in cash or by bank draft or by electronic/digital Payment.

TPNODL Reply: The licensee is observing the payment mode as directed by Hon'ble Commission time to time.

- 10. Respondent's view/objection:** Discrimination of energy billing between HT & LT industrial consumers with KVAh & KWh respectively through the procurement of energy by the Discom in BST are being generated in KWh from GRIDCO.

TPNODL Reply: The contention of the objector regarding adoption of KVAh billing is not true. Adoption of KVAh billing will help in maintaining the power factor and hence in system stability from technical point of view.

It is further submitted that, by adopting KVAh billing in place of KWh Billing the recent pattern of Power Factor penalty imposed on the consumers will be abolished. The objective of introduction of KVAh billing is to ensure reduction in losses which occurs due to low power factor and for encouraging the consumers to maintain their power factor near to unity Power factor.

Incompliance to the direction of the Hon'ble Commission in the Tariff order 2014-15, the Utility had submitted the above required data before the Hon'ble commission during month of Nov'2014.

- 11. Respondent's view/objection:** Increase in demand charge of HT Consumer upto 110 KVA

TPNODL Reply: Medium categories of consumers who are availing power supply under HT category are being facilitated with comfort of demand charges @ Rs.150 per KVA p.m. However, General purpose category with load of >70 KVA & <110 KVA and Specified Public Purpose category are paying demand charges @ Rs.250 per KVA p.m. This is discrimination among consumers availing power supply under HT category and also providing scope to become Medium industry to avail such benefit. With such wide GAP between Demand charges, consumers under HT medium category just below 110KVA are always trying to avail demand benefit even though their actual connected load is more than

110KVA and above. To curb such type of disparity in demand charges the licensee submit before Hon'ble Commission to fix demand charges for HT Medium category of consumers @ Rs.250 per KVA p.m. Previously Hon'ble Commission has also fixed demand charges @ Rs.250 per KVA p.m. for HT category of consumers equivalent with large industry during FY 2012-13. Necessary suitable direction may kindly be given in this regard.

12. Respondent's view/objection: Increase in meter rent of Smart Meter

TPNODL Reply: Licensee has already submitted the proposal regarding meter rent for Smart Meter in the ARR FY 2023-24.

14. Respondent's view – Billing with Defective meter.

TPNODL Reply: Billing with defective meters is carried out by licensee as per the provision under OERC Distribution (Condition of Supply) Code, 2019. However, objector is requested to bring the individual cases to the notice of the licensee for its remedial action.

13. Respondent's view/objection: Revision of reconnection charges.

TPNODL Reply: The biggest challenge in the field even after disconnection, consumers are reconnecting power supply through their own means and ways. This is not only affecting business of the licensee, at the same time risk of fatal accident cannot be ruled out. It is not possible to monitor post disconnection by 24 X 7 with the available resources as well as it is not cost effective. Further, reconnection charges are continuing since last 10 years even though BST and RST of DISCOMs have increased no of times.

14. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

15. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Priyabrata Sahu, S/O- Late Adikannda Sahu, At-Bijaya Bihar, 3rd Lane, PO-Berhampur, Dist-Ganjam-760004.

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

5

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Principal Chief Electrical Engineer, East Coast Railway, Rail Sadan,
Chandrasekharpur, Bhubaneswar, Odisha – 751017.

..... Objector

Rejoinder to the objection/suggestions filed by Principal Chief Electrical Engineer, East Coast Railway against on the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24

1. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order dated 25.3.2021 in Case No-9/2021 of Hon'ble Commission.
Reply to the points raised by the Ld. Objector are furnished hereunder
2. **Respondent's view/objection:** Hon'ble OERC is requested to treat Railway as separate category and fix tariff (EHT & HT) at lower level than that of tariff for other EHT & HT consumers in the state.

TPNODL Reply: It may be perused from the below table that, the tariff for railway in other adjacent states vs railway tariff in state of Odisha. The tariff applicable to railway herein Odisha is much competitive.

	States	Demand Charges	Energy Charges
1	Chhattisgarh	Rs.375 /-per kVA per month	Rs.4.55 per kVAh
2	Andhra Pradesh	Rs.350/-per kVA per month	Rs.5.50 per kVAh
3	Jharkhand	Rs.350/-per kVA per month	Rs.5.25 per kVAh
4	Madhya Pradesh*	Rs.310/-per kVA per month	Rs. 5.90 per kWh
*Guaranteed minimum annual consumption of 1500 unit(in kWh) per kVA of Contract demand.			
5	Maharashtra	Rs.454/-per kVA per month	Rs.6.86 per kVAh

6	Bihar	Rs.280/per kVA per month	Rs.6.70 per kVAh
7	Odisha	Rs.250/-per kVA per month	HT(kVAh) EHT(kVAh)
		(Upto 60% L.F)	5.85 5.80
		(> 60% L.F)	4.75 4.70

So, request of Railway for reduction of railway tariff as compared to other HT & EHT category will affect the revenue of the utility. Railway is also being separately categorized under HT & EHT as “Railway Traction”, there is no such requirement of creation of another specialized category.

- 3. Respondent’s view/objection:** Hon’ble OERC is requested to reduce the existing demand and energy charges and to consider Railway traction tariff at par with that of organizations having >60% load factor.

TPNODL Reply: Railway has made a forceful representation to reduce the demand cost as well as energy charges considering their nature of load. It is a fact that railway is availing power supply in two phase and other industries in three phase. Industries drawing in three phase obviously can use more efficiently. Railway, because of its nature of load and consumption cannot run in higher load factor. Therefore, if railway tariff would be isolated from other category it needs to be fixed in higher tariff instead of lower because of non-efficient use.

Railway Traction is treated at par with other EHT Consumers. Nowhere in the country, is a special lower tariff fixed for Railways. As a matter of fact, Railway Traction tariff in Odisha is much less than most of the other states as depicted in above table.

- 4. Respondent’s view/objection:** Hon’ble OERC is requested to allow load factor incentive for Railway Traction category from 40% instead of 60%.

TPNODL Reply: Present rate of charges under HT & EHT Category is as follows:

Slab rate of energy charges for HT & EHT (Paise/kVAh)

Load Factor (%)	HT	EHT
= < 60%	585.00	580.00
> 60%	475.00	470.00

Presently Railway is covered under EHT Category where they are eligible under proposed Load Factor issued. The proposed reduction in L.F discount from 40% will affect the licensee business. The Licensee is mandated to serve different category of consumers where tariff is less than the cost of supply in the existing mechanism. If Railway tariff requires reduction, the tariff of cross-subsidized category needs to be increased. East Coast

Railway is a 2 phase consumer & because of its load pattern may not able to achieve the desired load factor.

However, to facilitate railway and to avoid overdrawl penalty on account of inter DISCOM feed extension, the licensee has proposed before Hon'ble Commission to consider the same looked into it.

5. **Respondent's view/objection:** Hon'ble OERC is requested to charge Railway at the unit rate which is actual cost of supply of power to EHT category of consumers.

TPNODL Reply:

Hon'ble Commission decides the tariff applicable to different categories of consumers guided by the principles of National Tariff Policy. As envisaged in the National Tariff Policy ,

“2. For achieving the objective that the tariff progressively reflects the cost of supply of electricity, the Appropriate Commission would notify a roadmap such that tariffs are brought within $\pm 20\%$ of the average cost of supply....”

Presently Railway is being charged well within the limits of +/- 20% of the average cost of supply. Further, as evident from the previous paragraphs, the tariff applicable for Railway in Odisha is much competitive in comparison to other states.

6. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.
7. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Principal Chief Electrical Engineer, East Coast Railway, Rail Sadan,
Chandrasekharpur, Bhubaneswar, Odisha - 751017

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri R. P. Mahapatra, Retired Chief Engineer & Member (Gen.), erstwhile
OSEB, Plot No.-775(P), Lane-3, Jayadev Vihar, Bhubaneswar-751013.

..... Objector

Rejoinder to the objection/suggestions filed by Sri R. P. Mahapatra on the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24

1. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order dated 25.3.2021 in Case No-9/2021 of Hon'ble Commission.
2. The points raised by Ld Objector are not related to ARR of the licensee.
3. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C.to Sri R. P. Mahapatra, Retired Chief Engineer & Member (Gen.), erstwhile OSEB, Plot No.-775(P),
Lane-3, Jayadev Vihar, Bhubaneswar-751013.

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

7

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri A.K. Sahani, Electrical Inspector (Retd), B/L-108, VSS Nagar,
Bhubaneswar-751007

.....Objector

Rejoinder to the objection filed by Sri A.K. Sahani against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

1. Respondent's view/objection: The petitioner should honour different provisions of law

TPNODL Reply :

TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order of Hon'ble Commission.

TPNODL is duty bound to abide by all the applicable rules and regulations and license conditions and tariff orders. Reply on the points raised by the objector on the ARR and Tariff application of the licensee are furnished hereunder:

a. Respondent's view/objection: No remunerative benefit was extended to any of the consumers

TPNODL Reply: License is duty bound to follow the provision of OERC (Distribution Supply Code, 2019) and other applicable rules and regulations and directives mentioned in the Tariff Orders. However, if any consumer is aggrieved with non-fulfillment of Hon'ble Commission directives, Objector may bring such cases to the notice of the License for further necessary action.

b. Respondent's view/objection: Consumer less than 100 KVA are being extended with Demand Charges:

TPNODL Reply: Bill for the electricity consumption by any category of consumer is raised as per the applicable charges fixed by Hon'ble Commission in Tariff order. All the provisions applicable for the consumers are being extended by the licensee in compliance to the Tariff order and other applicable directions of Hon'ble Commission.

c. Respondent's view/objection: Govt. ED should be paid by TPNODL as per Regulation -152(i) of Supply Code 2019.

The priority of adjustment is as per the provisions of regulation 152(i). The ED remitted from April'22 to Sep'22 are furnished hereunder:

Particulars in Crs	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	H1FY23
Electricity Duty	18.20	12.78	13.59	12.33	17.05	14.97	88.91

2. Respondent's view: Bill revision for consumers having contract demand above 110KVA due to effect of Covid-19.

TPNODL's reply: The licensee honours the concern of the Learned Objector. However, now all the day to day activities of individuals as well as institutions have returned to normalcy. Hon'ble Commission had extended the required relaxation during the pandemic period. But, now as all the activities have already returned to normalcy, there is no such requirement of extending any relaxation in view of the pandemic.

3. Respondent's view: Withdrawn of Meter rent collection period till 60 month

TPNODL's reply:

Consumer has always an option to install own meter, in such case meter rent is not recoverable. Further, Cost of meter needs to be considered alongwith other incidental expenditures like installation cost, etc.

4. Respondent's view –Arrear Collected from consumers out of past arrear.

TPNODL's reply:

The applicant has been assigned a target of collecting 400Cr\$ part arrear in 5years of operation in Vesting order .

The details of collections made out of past arrears are reported to Hon'ble Commission from time to time. The details of past arrear collected monthwise have been furnished in F-9(B), which may please be referred.

5. Respondent's view -Adoption of KVAh billing

TPNODL's reply:

That, the contention of the objector regarding adoption of KVAh billing is not true. Adoption of KVAh billing will help in maintaining the power factor and hence in system stability from technical point of view.

The objective of introduction of KVAh billing is to ensure reduction in losses which occurs due to low power factor and for encouraging the consumers to maintain their power factor near to unity Power factor.

6. Respondent's view – Non -Implementation of orders of Hon'ble High Court of Odisha

TPNODL's reply:

The objector has pointed out that some of the orders of Hon'ble High Court of Odisha have not been implemented by the licensee. The objector is requested to bring such cases individually to the notice of the licensee for necessary action.

7. Respondent's view – MMFC/Demand Charges for Consumers with Contract Demand <110 KVA and Demand Charges for GP >70 KVA and HT industrial (M) Supply:

TPNODL's reply:

The applicable demand charges for categories pointed out under HT supply are given hereunder:

Demand Charge (In Rs.)		
Category of Consumer	Voltage of Supply	Demand Charge (Rs./KVA)
Specified Public Purpose	HT	250
General Purpose >70<110KVA	HT	250
HT Industrial (Medium)	HT	150
Large Industrial	HT	250

However, the applicable energy charges are same for the above categories. As the network corridor under same supply voltage is used to supply the required quantum of power to all the above categories – there should not be any disparity in the demand charges, when energy charge is same for all these categories.

TPNODL is raising consumer bills as per the provisions of Tariff order. If Ld Objector has noticed any such case of deviation, the same may please be brought to the notice of the licensee.

- 8. Respondent views-** Following consumers are not being extended with benefit as per Tariff Order
- a. Allied Agriculture Activities
 - b. Allied Agro-industrial Activities

TPNODL’s reply:

The objector is requested to bring the individual cases to the notice of the licensee for implementation of GRF/Ombudsman order

- 9. Respondent’s view - Resolving Legal Cases**

TPNODL’s reply:

TPNODL is taking all steps for resolving the pending legal issues and extend all support to the consumers.

In reply to para 10, it is humbly submitted that petitioner has always complied the directions of Hon'ble High Court except where the order has been challenged before the Hon'ble Supreme Court of India. In Civil Appeal No. 8859 of 2011 in the matter of Executive Engineer & another Vs. Sitaram Rice Mill, Hon'ble Supreme Court of India has interpreted the Section 126 of Electricity Act, 2003 and more particularly the word unauthorized use of electricity, which is reproduced herewith:-

Para -27:- The expression “ unauthorized use of electricity” on its plain reading means use of electricity in a manner not authorized by the licensee.. “Authorisation” refers to the permission of the licensee to use of electricity, subject to the terms and conditions for such use and the law governing the subject. To put it more aptly, the supply of electricity to a consumer is always subject to the provisions of the EA, 2003, State Acts, Regulations framed thereunder and the terms and conditions of supply in the form of a contract or otherwise.

Para -46:- On the cumulative reading of the terms and conditions of supply, the contract executed between the parties and provisions of the 2003 Act, we have no hesitation in holding that consumption of electricity in excess of the sanctioned/connected load shall be an “unauthorized use” of electricity in terms of Section 126 of the 2003 Act. This we also say for the reason that overdrawal of electricity amounts to breach of the terms and conditions of the contract and the statutory conditions, besides such overdrawal being prejudicial to the public at large, as it is likely to throw out of gear the entire supply system, undermining its efficiency, efficacy and even increasing voltage fluctuations

Therefore, it is brought to the notice of the Hon'ble Commission that all the actions under section 126 are within the parameters of the Electricity Act, 2003 and laid down guidelines under OERC Distribution (Conditions of Supply) Code, 2019.

In reply to the averments of the last paragraph of point no-10, it is humbly submitted that being unaware of the aftermath of the referred decision of the Hon'ble Apex Court of India on the validity period of stay, the objector has averred like this. However, it is pivotal to mention here that certain misc. applications were moved for clarification of the above order of the Hon'ble Apex Court(regarding the validity period of stay for six months) & the legal position that emerges after the clarificatory order dated 25.04.2022

is that the Apex Court Dictum of automatic vacation of stay in Asian Resurfacing case is not applicable in all facts & circumstances.

- 10. Respondent's view** –Tariff petition relating to bill under Section 126 on overdraw beyond by the Hon'ble OERC

TPNODL's reply:

The licensee is duty bound to follow the classification made by Hon'ble Commission and raises bills to consumers as per the tariff order from time to time.

- 11. Respondent's view** – Regulation 138 (e) i.e. power supply to LI points in the urban area.

TPNODL's reply:

Classification of consumers has been made by Hon'ble Commission basing on their purpose of supply. The licensee categorizes the consumers as per the provisions of Supply Code and raises bill to consumers as per the applicable tariff from time to time.

- 12. Respondent's view** –Prawn Culture running without any consumer no. in the Jaleswar area.

TPNODL's reply: The licensee has strengthened the enforcement activity with deployment of dedicated enforcement team for curbing such cases of unauthorized power consumption issues. We have taken note of the point raised by the Ld objector and necessary steps will be taken.

- 13. Respondent's view in point no-13,14,15,16- High cross subsidy surcharge. OERC should take steps to reduce CS and CSS .**

TPNODL's reply:

The contention of the Id. Objector that due to high cross subsidy surcharge, the industries are not able to go for availing power supply through open access is not true. A comparative statement of the no. of consumers availing power through Open Access and the corresponding quantum given in the following table.

Particulars	FY 18-19	FY 19-20	FY 20-21	FY 21-22
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No. of Consumers availing power supply through open access	11	13	16	18
Total units availed through Open access (in MU)	1250.69	1333.89	1522.122	1549.136

From the above table, it can be seen that the no. of consumers availing open access as well as the quantum of power availed through open access has increased year on year.

Further, the Ld Objector may refer to para 84 and 85 of RST order FY 23. The computed cross subsidy surcharge for DISCOMs have been given in table -24. In view of the mandate of Electricity Act'2003 under section 42, the cross subsidy surcharge is to be reduced progressively for which Hon'ble Commission fixed the CSS at 67% of the computed values.

14. Special Tariff to Steel Industry:

TPNODL's reply:

At Para 20 (e) of Objector query , it has been mentioned that tariff offered by DVC (Damodar Valley Corporation) for Steel industry is Rs. 3.75 per KVAh and allowed load factor incentive is 15% of total energy charge whose LF exceed 65%. Similarly TSL (Tata Steel Limited) is offering a tariff of Rs. 5.60 per/Unit with following terms and condition of supply:

The Load factor rebate shall be allowed to all the consumers whose load factor exceeds 65%. For any 'X' % increase in the load factor over and above 65%, the rebate shall be allowed at the rate of 'X' % on the total energy charges corresponding to total energy consumption of the consumer subject to a maximum ceiling rebate of 15%.

In addition to that Hon'ble JSERC has also directed in tariff order of DVC and TSL for FY 2021-22 that the above Load Factor discount will only applicable for current bill.

The above rebate will be available only on monthly basis and consumer with arrears shall not be eligible for the above rebate. However, the applicable rebate shall be allowed to consumers with outstanding dues, wherein such dues have been stayed by the appropriate Courts.

Both the distribution utilities (DVC & TSL) are primarily focused on serving HT Industrial consumers. Broadly, JBVNL sells 50% of power in whole Jharkhand, however 93% of domestic sales in Jharkhand is being done by JBVNL.

Number of Consumer/Connection Point projected by Petitioner (DVC) for MYT Period (Nos.)

Number of Consumer/Connection Point projected by Petitioner for MYT Period (Nos.) Consumer Category	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
LT	5	5	5	5	5
11 kV	1	1	1	1	1
Industry					
33 kV	118	120	124	126	130
132 kV	6	7	8	9	10
220 kV	2	2	3	3	3
Railway Traction					
132 kV	4	5	5	5	5
Licensees					
33 kV	9	9	9	9	9
132 kV	2	2	2	2	2
TOTAL	147	151	157	160	165

***Source- JSERC: DVC- Approval of Business Plan & MYT Petition and Tariff determination for FY 2021-22**

The above table shows that in FY 2021-22 only 3.40 % consumer/connection point belongs to LT category and rest all consumers belongs to 11 KV and above voltage level. Whereas in case of TPNODL majority of consumers belongs to LT (~99%) category and moreover agriculture consumers supplied electricity with highly subsidized rate (~ Rs. 1.50/kWh).

Number of Consumers Projection as submitted by the Petitioner (TSL) for Control Period (Nos)

Categories	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Domestic-LT	39,630	41,536	43,492	45,498	47,554
Domestic-HT	147	153	159	165	171
Commercial	10,463	10,593	10,725	10,859	10,994
HT-IS	217	219	220	222	224
Streetlight	370	377	384	391	398
Temporary Supply	38	38	38	38	38
Sales to Other licensee	1	1	1	1	1
LT-IS	1	1	1	1	1
Total	50,867	52,918	55,020	57,175	59,381

**Source- JSERC: TSL – Approval of Business Plan & MYT Petition and Tariff determination for FY 2021-22*

Form the above table it is clear that for TSL there is ~ 78% consumer are belongs to LT domestic category and rest all are belongs to HT and others category. The overall consumer base and geographical area of TSL is very less as compare to TPNODL (Consumer base 20.98 Lacs).

Further, objector has also mentioned that tariff offered by JBVNL to Steel industry is Rs. 5.15/Unit which is two years old rate (i.e. for FY 2020-21), at current scenario this offered rate may get changed. Therefore, the comparison of tariff rate of JBVNL with TPNODL rate for steel industry is not relevant as of now.

Further, Hon'ble Commission has also extended lower rate for consumption beyond 60% LF. A consumer gets a reduction in 110paise per unit for units consumed above 60% load factor.

15. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.
16. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: - Sri A.K.Sahani, B/L-108, VSS Nagar, Bhubaneswar-751007. Tel: 9437071622

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Soumya Ranajan Patnaik, S/O-Late Brajabandhu Patnaik, MLA,
Khandapada, Plot No. 185, VIP Colony, Nayapalli, Bhubaneswar-15.

..... Objector

**Rejoinder to the objection/suggestions filed by Sri Soumya Ranjan Patnaik, MLA against
on the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application
filed by TPNODL for the year 2023-24**

1. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order dated 25.3.2021 in Case No-9/2021 of Hon'ble Commission.
2. **Respondent's view/objection:** Direction of Hon'ble Supreme Court of India to SERCs vide Judgment dated 23.11.2022 in Civil Appeal No. 1933 of 2022. SERCs are not determining tariff as per guiding principles.

TPNODL Reply: The Hon'ble Commission, being a quasi-judicial body, had notified the had introduced the OERC (Terms & Conditions for determination of Wheeling Tariff & Retail Supply Tariff) Regulations, 2022 on 20.12.2022 superseding the old Regulation of 2014 coming into effect from the date of their publication in the Official Gazette i.e. 23.12.2022 which in turn coincided with the Hon'ble Supreme Court of India's Judgment. It is further submitted that SERCs all over India are guided by the principles laid down u/s 61 of the Electricity Act, 2003. However, determination of tariff to be charged from different consumer categories is the prerogative of the Hon'ble Commission u/s 62 & 86 of the Electricity Act, 2003.

- 3. Respondent's view/objection:** Violation of MYT Principle in the instant proceedings. ARR & expected revenue under Business Plan is not yet approved by the Hon'ble Commission and ARR has been filed in an isolated manner.

TPNODL Reply: It is submitted that the Hon'ble Commission had sought public opinion/view on Determination of (Wheeling & Retail supply Tariff) Regulation 2022 through draft consultative paper dated 14.10.2022. However, pending notification of the above said regulation the licensee had relied on existing regulation along with OERC (Conduct of Business) Regulation 2004 and in conformity with Section 62 of Electricity Act 2003 & filed its Aggregate Revenue Requirement with Hon'ble Commission for FY 2023-24 on 30.11.2022. In the meantime, the Hon'ble Commission vide its letter No. OERC/RA/TPCODL-33/2020/1380 dated 30.11.2022 to all the DISCOMs had enclosed its Notification No. DIR(T)/405/2023-24/1379 dated 30.11.2022 giving liberty to DISCOMs to file their revised ARR and Tariff application as per New Regulation, 2022 which was contemplated to be brought out by the end of December, 2022. The New Tariff Regulations, 2022 came into effect from 23.12.2022 and accordingly the Licensee filed its revised ARR petition for FY 2023-24 before the Hon'ble Commission on 09.01.2023.

As the said New Tariff Regulations, 2022 came into force only on December, 2022, soon after the Licensee was only able to visualize regarding the submission of Annual Business Plan. The filing of the Business Plan for 5 years Control Period i.e. FY 2023-24 to FY 2027-28 requires data collection, assimilation and understanding of various other parameters which consume a considerable amount of time. Accordingly, the Licensee has requested the Hon'ble Commission to consider the parameters of the revised ARR filed for FY 2023-24 as the parameters for 1st year of the 1st Control Period and requested some time to file the Annual Business Plan for balance 4 years of the 1st Control Period.

- 4. Respondent's view/objection:** Truing up exercise for FY 22 in Tariff proceedings has not been done by the Licensee.

TPNODL Reply: The Licensee had relied on existing regulation along with OERC (Conduct of Business) Regulation 2004 and in conformity with Section 62 of Electricity Act 2003 had filed the Petition for Revised Truing Up of FY 2020-21 (3 months), Truing up of FY 2021-22 along with original ARR for FY 2023-24 on 30.11.2022 before the Hon'ble Commission. In the meantime, the Hon'ble Commission vide its letter No. OERC/RA/TPCODL-33/2020/1380 dated 30.11.2022 had directed the DISCOMs to file the revised ARR for FY 2023-24 within 15 days from the date of the Gazette Notification of the New Tariff. Accordingly, the licensee in accordance to the new Tariff Regulations, 2022 had only filed the revised ARR for FY 2023-24. However, it is apprised that the statement that TPNODL utterly denied to give them the Truing up document is incorrect. With regards to violating the regulations, TPNODL would like to submit that it is well guided and follows the provisions of the Regulations and Codes of the Hon'ble Commission and is well within the ambit of the same.

- 5. Respondent's view/objection:** Uncompleted ARR filings being registered by the Hon'ble Commission. Websites operated by respective DISCOMs have not been user friendly.

TPNODL Reply: ARR and Retail Supply Tariff for the FY 2023-24 has been filed by the Licensee before the Hon'ble Commission under Section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms and Conditions for determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulation 2004.

Under the provisions of the New Tariff Regulations, 2022 the Licensee shall furnish such information as and when required by the Hon'ble Commission to access such calculations for determining the tariff.

The Licensee abides by the directions of the Hon'ble Commission in true letter and spirit.

With regards to the issue of the websites of the DISCOMs, it is humbly submitted that as part of compliance to the Hon'ble Commission's directives, the Licensee has uploaded the details of the ARR immediately as directed by the Commission. The consumers to follow the following steps to view the documents as desired:

www.tpnodl.com → Customer Zone → Aggregate Revenue Requirement → Annual Revenue Requirement (ARR) & Open Access Filing 2023-24. ARR related documents can also be downloaded from Hon'ble Commission website.

However, TPNODL respects the views of the objector and would try to simplify the same for better accessibility by its consumers.

- 6. Respondent's view/objection:** In para 12, Ld Objector has raised the query that Audited Financial Statement (TU-10) of FY22 was not sent.

TPNODL Reply:

Annexure-10 is the audited financial statement of the licensee for FY 2021-22. As per the governing rules the audited financial statement has been uploaded in the company website: www.tpnodl.com. As it is voluminous document and available in company website, it was not given along with the truing up application. But, subsequently same was forwarded on receiving request from Ld. Objector.

- 7. Respondent's view/objection:** Non truing up of Tariff Orders of erstwhile Utilities/ DISCOMs. Erstwhile 4 utilities have been auctioned by fixing unlawful Reserve price to TPCL. Revenue surplus generated by erstwhile DISCOMs to be passed on to the consumers.

TPNODL Reply: The Hon'ble Commission in its Tariff Order dated 24.03.2022 at para 65 has held as under:

“65. The Commission has carried out Truing up exercise in this order for the period 2020-21 based on the audited accounts. This is the first year of operation after privatization. The Truing up of account helps the Commission to factor in past regulatory surplus or gap in the regulatory account of the year under consideration. This, in turn, helps the Commission to arrive at the ARR of the ensuing year. The Truing up of accounts before FY 2020-21 has no impact on the present ARR for FY 2022-23 of the DISCOMs. This is because any Regulatory surplus or gap for the years prior to FY 2020-21 shall be transferred to the Special Purpose Vehicles (SPVs) which was created to retain the liabilities of erstwhile DISCOMs. It is pertinent to mention that three (3) new DISCOMs (TPCODL, TPWODL, TPSODL) came into existence during FY 2020-21, 4th DISCOMs (TPNODL) took the responsibility in April 1, 2021 and these DISCOMs are free from liabilities of the past barring few as per Section 21 of the Electricity Act.”

TPNODL hopes that the above para of the Hon'ble Commission suffices the matter.

- 8. Respondent's view/objection:** Demand Forecast (in MVA or MW) for Odisha by the Utilities. GRIDCO projects less demand by 325 MVA than projected by DISCOMs.

TPNODL Reply: Considering the past record and additional load growth in each category and additional load towards upcoming EHT consumers, the licensee proposes 1396 MVA as SMD for FY 2023-24. This is further to bring out that, the SMD of the DISCOM as recorded by GRIDCO is without deducting demand component of open access drawal by industries. The SMD (MVA) projection for the ensuing year has been done based on load mix, consumption patterns and other economic policies.

The licensee submits that SMD (MVA) projections for a year are estimated based on load mix, consumption patterns and other economic policies, and restricting the SMD of the utility up-to a particular level without considering the proposal as above and imposing penalty thereof for drawl beyond the approved level, shall put the Utility with higher financial burden..

- 9. Respondent's view/objection:** Power cut and unreliable power supply during peak summer.

TPNODL Reply: It is submitted that TPNODL has initiated nos. of activity for reduction of interruption, break down etc. during last two years. On implementation of the various measures the power supply position has improved. Through continuous patrolling, network augmentation, periodic maintenance etc. number of tripping has been gradually reducing. Since FY 2021-22, TPNODL has attained many achievements such as establishment of 24*7 & Operational Power System Control Centre (PSCC) and provided

mobile applications to all 33/11KV Primary Sub-Station to collect the operational information, Planned Outages monitoring and information pass on to consumers regarding the outages in their area before 48 hrs. Every major breakdown and planned outages informed to Centralized Call Centre and consumers benefitted through it. Licensee have taken several imitative to reduce the outages under its capital investment plan (Such as Project Unnati, Clean up, PTR Bachawo, Tapmaan etc.).

10. Respondent’s view/objection: Loss recovery by DISCOMs.

TPNODL Reply: As per Section 21(a) of the Act, the utility of NESCO was vested in TPNODL from 01.04.2021 only. As per terms of vesting, TPNODL shall be free from any debt, mortgage and similar obligation of NESCO utility. As per terms of the RFP, the bidders were required to provide AT&C loss trajectory for first 10 years of operations with the condition that the AT&C loss level in the 3rd and 5th year from takeover shall not be higher than 21.5% and 16% respectively. As part of the Bid, TPCL provided an AT&C loss reduction trajectory commitment as per the below table:

AT&C Loss Trajectory (%)									
FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31
24.32	22.32	20.80	17.80	15.50	12.50	11.50	10.50	9.50	8.90

11. Respondent’s view/objection: Despite reduction in EHT and LT losses, HT loss is still approved at 8% and passed on to the consumers. HT losses to be reduced to 4%.

TPNODL Reply: The Hon’ble Commission in its Tariff Order has approved the HT loss to the tune of 8% which is justified in the current situation. TPNODL is engaged in system strengthening, network augmentation, setting up 33/11 kV substations in order to increase the power situation and reach to consumers. The Licensee hopes that in future years the T&D loss may be reduced taking into account the network situation prevailing at the time.

12. Respondent’s view/objection: Loss levels of the Licensee to be reduced and prudently checked.

TPNODL Reply: It is submitted that for determination of the ARR and consequent tariff, the Hon’ble Commission has already been applying a “normative AT& C loss” and the trajectory for the same is fixed till FY 2030-31 in the vesting order for tariff determination process. Hence, it is submitted that the tariff of the consumers is not impacted by the actual distribution Loss of the licensee.

13. Respondent’s view/objection: Misappropriation of Govt. grant investment.

TPNODL Reply: TPNODL is required to maintain bank balance in separate bank accounts and this amount to be used for which the grant is received.

The closing balance of grants as on 31.03.2022 is as under:

Sl. No	Name of Scheme	As on 31.3.2022	Addition during FY22-23 (Estimated)	Assets as on 31.3.2023
1	ODSSP	687.50	102.80	790.30
2	SCRIPS	0		0
3	DDUGJY	446.49		446.49
4	IPDS	293.66		293.66
5	SOUBHAGYA	124.27		124.27
6	Nabakalebar	0		0
7	RGGVY	3.51		3.51
8	ODAFFP	13.10	39.80	52.9
9	BGJY (OPTCL DTR)	34.89		34.89
10	IPDS-IT (Phase-II)	54.20		54.20
11	Total (A)	1,657.62	142.60	1800.21
12	Less Soubhagya	124.27	0	124.27
	Total	1,533.35	142.60	1675.94

14. Respondent's view/objection: Cash Flow Statement (CFS) does not show any short-term loan floated by the Licensee during FY 22. Therefore, interest on working capital may be set aside. Depreciation, RoE due to GRIDCO shall not be allowed and provisions for bad debt should be allowed @ 0.15% of the Sales value of previous years.

TPNODL Reply: TPNODL would like to state that as a Distribution Licensee, it abides by the Regulations and Vesting Order of the Hon'ble Commission. It is strictly guided by and follows the appropriate Regulations and is well within the ambit of the same. Furthermore, determination of tariff is the prerogative of the Hon'ble Commission u/s 61 & 86 of the Electricity Act, 2003.

Regulation 3.10 of the New Tariff Regulations, 2022 provides for interest on the estimated level of working capital for the Wheeling and Retail supply business for the Financial Year to the DISCOM. Furthermore, the variation between the normative interest on working capital recomputed at the time of Truing-up and the actual interest on working capital incurred by the Distribution Licensee, substantiated by documentary evidence, shall be considered as an efficiency gain or efficiency loss, as the case may be, on account of controllable factors.

Accordingly, TPNODL has claimed Interest on working capital on normative basis for FY 22.

15. Respondent's view/objection: Hon'ble Commission to adopt the cash basis regulatory accounts instead of Accrual basis accounting.

TPNODL Reply: Hon'ble Commission at Regulation 1.2.1 (30) of the New Tariff Regulations, 2022 has held as under:

"Financial statement" means for each Financial Year, the following statements, namely-

(i) balance sheet, prepared in accordance with the form contained in Part I of Schedule III to the Companies Act, 2013 as amended from time to time or Part I of Schedule VI to the Companies Act, 1956 as amended from time to time, whichever is applicable;

(ii) profit and loss account, complying with the requirements contained in Part II of Schedule III to the Companies Act, 2013 or Part II of Schedule VI to the Companies Act, 1956, as amended from time to time, whichever is applicable;

(iii) cash flow statement, prepared in accordance with the Accounting Standard on Cash Flow Statement (AS-3) of the Institute of Chartered Accountants of India and as per Section 2(40) of the Companies Act 2013;

(iv) report of the statutory auditors;

(v) reconciliation statement, duly certified by the statutory auditors, showing the accounting statement under Indian Accounting standard (IND AS) and Generally Accounting Accepted Principles (GAAP) for reconciliation between the total expenses, revenue, assets and liabilities, of the entity as per financial statement and Regulatory format;

(vi) cost records as reflected in the books of accounts defined in Section 2 (13) of the companies Act 2013 or Section 209(1)(d) of the Companies Act, 1956 along with Cost Audit Reports together with notes thereto, and such other supporting statements and information as the Commission may direct from time to time;

Provided that the revised schedules and forms as stipulated under the Companies Act, 2013 shall be applicable from the date as prescribed therein:

Provided also that in case of any local authority engaged in the business of distribution of electricity, the Accounting Statement shall mean the items, as mentioned above, prepared and maintained in accordance with the relevant Acts or Statutes as applicable to such local authority:"

In accordance with the above, the Licensee is maintaining its accounting as per Companies Act, 2013.

16. Respondent's view/objection: Arrear Collection.

TPNODL Reply: As per terms of Vesting Order, TPNODL is mandated to collect Rs.400 Cr. out of past arrears. Accordingly, an amount of Rs. 374 Cr. (till Dec'22) has been collected and remitted to GRIDCO after deducting Incentive and GST thereof.

17. Respondent's view/objection: CAPEX.

TPNODL Reply: As per the vesting order of TPNODL the licensee is committed for capital investment of Rs.1270 crs in span of 5 years. In line with the same Hon'ble Commission has already approved Rs.258.78 crs for FY 21-22 and Rs.326 crs for FY 22-23. The licensee has projected Rs.452 crs for FY 23-24. The details are appended below:

Capital Expenditure Commitment by TPCL

<i>Capex Commitment (INR Cr)</i>					
<i>FY22</i>	<i>FY23</i>	<i>FY24</i>	<i>FY25</i>	<i>FY26</i>	<i>Total</i>
<i>246</i>	<i>376</i>	<i>259</i>	<i>247</i>	<i>141</i>	<i>1,270</i>

Capital Expenditure Approved for FY 2021-22 & FY 2022-23

FY	Proposed DPR Cost (₹ Crore)	OERC Approved Cost(₹ Crore)
FY 2021-22	275.4	258.78
FY 2022-23	442.97	326.54

The licensee places its CAPEX application in prior consultation with all the stakeholders and the investment proposal has been considered only on priority wherever there is requirement for overall improvement. Hon'ble Commission approves the CAPEX amount for each year after considering every aspect and appoints consultants to check the relevancy of the CAPEX application. The licensee is providing the information on CAPEX progress to Hon'ble OERC quarterly interval for better monitoring.

18. Respondent's view/objection: Determination of Tariff.

TPNODL Reply: TPNODL would like to submit that determination of tariff is the prerogative of the Hon'ble Commission u/s 62 & 86 of the Electricity Act, 2003 and the Licensee is guided by the same.

19. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Soumya Ranajan Patnaik, S/O-Late Brajabandhu Patnaik, MLA, Khandapada, Plot No. 185, VIP Colony, Nayapalli, Bhubaneswar-15.

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

9

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Bidhyadhar Mohanty, At-Chorda, PO-Jajpur Road, Jajpur.

.....Objector

Rejoinder to the objection filed by Sri Bidhyadhar Mohanty, Member SAC against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

- 1. Respondent's view/objection:** Petition filed by the petitioner is hard and exhort on consumers and void the legal sanctions.

TPNODL Reply: It is submitted that ARR and Retail Supply Tariff for the FY 2023-24 has been filed by the Licensee before the Hon'ble Commission under Section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms and Conditions for determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulation 2004. DISCOMs being regulated entities are bound to follow the legal provision and regulations of the Electricity Regulatory Commissions in true letter and spirit.

- 2. Respondent's view/objection:** The present proposed ARR of all the Licensee appears higher expenditure in employees cost, Repair and Maintenance cost and A&G, expenditure which is double then the previous year approved expenditure.

TPNODL Reply: Licensee has prepared the ARR as per the provision of OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022, therefore all the projection have been estimated in the ARR as per the norms and terms of the said regulation. The justification against each estimation are provided in the ARR Application FY 2023-24.

Further, all the audited financial reports of licensee are also furnished to Hon'ble Commission periodically for its prudent check.

3. **Respondent's view/objection:** Power supply hours to rural consumers half than the urban area.

TPNODL's reply: Licensee have taken several imitative to reduce the outages under its capital investment plan (Such as Project Unnati, Clean up, PTR Bachawo, Tapmaan etc.).

Further, electricity tariff for different category of consumers are uniform across the State irrespective of the differential BSP rate applicable to all the four Discoms of Odisha.

4. **Respondent's view/objection:** Hon'ble Commission has imposed DPS on Dom & Commercial consumers @1.25%. This provision is used by the company to extract money from the consumer. They are not serving bill to consumer but charging DPS on bills not paid. Further, rebate are not passed on to the consumer when the actual bill is generated. The present rate of interest on fixed deposits is around 6% but the consumer is charged 18% for non-payment of bills is unrealistic.

TPNODL Reply: TPNODL would like to submit that the Hon'ble Commission has pleased to enhance the % of digital rebate from 2% to 3% for LT Domestic and GP single phase customers in FY 22-23 apart from other rebate as otherwise available to them. Consumers are moving towards online mode and availing the rebate. To improve the reach to the consumers, the licensee has engaged various service providers for easy payment option to the consumers for payment of Energy Bills through offline/online mode. The purpose of such engagement of the service providers is to accelerate the revenue collection and to reduce the door-to-door collection by the Company. On introduction of 3% from FY 2022-23 onwards digital receipts have also increased.

Therefore, to avoid the tendency of certain consumers among the consumer categories of Dom & Commercial who are negligent towards bill payment once the due date is over, Hon'ble Commission has introduced Delayed Payment Surcharge mechanism. The licensee never intends that its esteemed customer should pay DPS, rather encourages for payment within due date and avail rebate. Also, charging of DPS is in line with neighboring states and acts as deterrent for non-payment of bills in time. The objector has erred in comparing interest on fixed deposits to delayed payment surcharge which in turn is a penalty for non-payment of bills.

5. **Respondent's view/objection:** Present rate of interest on fixed deposits around 6% but interest on Security deposit is not ensure at par.

TPNODL Reply: The interest on security deposit is allowed by Hon'ble Commission under the provision of OERC Distribution (Condition of Supply) code, 2019 regulation. The prevailing bank rate during March, 2022 as notified by RBI is 4.25% per annum as ascertained from RBI website. The Commission accordingly allows the interest at the

rate of 4.25% on the closing balance on consumer security deposit. The licensee shall allow the interest on security deposit at the rate announced by the Hon'ble Commission.

6. **Respondent's view/objection:** Bills of consumers are not served in the time and generated on provisional but same time rebate are not passed on to the consumer because of late serving.

TPNODL Reply: During initial operation phase of the licensee, issue in timely raising some of the consumer's bills was observed. However, at present scenario consumer can send the photograph of meter reading and meter no. over dedicated what's app no. (7777004759) and consumer can get his electricity bill in his what's app. Further, licensee is proving the rebate to applicable consumers as per the provision of Tariff Orders.

Further, Consumer always have the option to connect with Customer Service Center, Anubhava Kedra at Sub-division level, and through what's app no. for resolution of metering, billing, collection or any other issues.

7. **Respondent's view/objection:** DISCOM are disconnecting the power supply without proper notice and they are not ensuring/confirming with reason at the time of disconnection.

TPNODL Reply: Disconnection of power supply is done as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation. However, objector is requested to bring the individual cases to the notice of the licensee for further clarification.

8. **Respondent's view/objection:** Discom shall give the detail financial benefits derived from the Capex Plan on account of loss reduction and its impact on tariff.

TPNODL Reply: The detailed capex plan along with Detailed Project Report are furnished before the Hon'ble Commission each year as per provision of Vesting Order of licensee. Accordingly, Hon'ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

9. **Respondent's view/objection:** Interest on Security Deposit may be increased as 4.25% is too low and the company is enjoying 6% interest on security deposit. Security deposit may be calculated to the nearest rupee one hundred instead of odd figure for easy transaction and for fair accounts. The consumers may be given three instalment facilities for deposit of security deposit to encourage MSME. Unlike Dom & commercial consumers, other consumers may be provided with suitable digital rebate.

TPNODL Reply: Section 47(4) of the Electricity Act 2003 states that "The distribution Utility shall pay interest equivalent to the bank rate or more, as may be specified by the

concerned State Commission. The OERC Distribution (Conditions of Supply) Code 2019, Regulation (57) also mandates the payment of interest on consumer security deposit. The licensee has calculated the interest on security deposit @ 4.25% p.a. based on the existing approval of Hon'ble Commission.

While we appreciate the objectors' concern regarding rounding off to nearest rupee. As regards to provision of allowing instalment on payment of SD, it is available, however on outstanding amount DPS is leviable. It is upto the consumer, whether to avail through payment of DPS or in one go. As regards to extending digital rebate to other category of consumers, prompt payment rebate mechanism is already available and almost all the high-end consumers are availing the benefit and avoiding payment of DPS.

10. Respondent's view/objection: Unlike domestic and commercial consumers other consumers may be provided with suitable digital rebate.

TPNODL's reply: In previous year (FY 2022-23) ARR filing licensee had proposed digital payment rebate for LT Domestic, LT GP single phase & Single phase irrigation consumer from 2% to 3%. In current year ARR filing licensee has proposed additional digital payment rebate of 1 % (from existing 3% to increment of 4%) for LT Domestic, LT GP single phase & Single phase irrigation consumer for promoting digital payment.

11. Respondent's view/objection: There is a plan to install upgraded/ smart meters. Can poor BPL consumer bear the capital cost of meter or rent where their monthly bill is Rs. 80. The cost of meter shall be borne by the supplier and not consumers. Meter rent is required to be reviewed.

TPNODL Reply: It is submitted that under regulation 97 (iv) (3) of the OERC Distribution (Conditions of Supply) Code, 2019, the licensee/supplier is permitted to move on gradually towards installation/replacement of prepaid/smart/pre-paid smart meters preferably within three years. MoP, GoI have also issued timelines for replacement of existing meters with smart meters for all consumers.

The Hon'ble Commission had permitted the recovery of Smart meter cost through monthly meter rent. Currently, TPNODL recovers an amount of Rs. 1500/- (Meter Cost - Rs. 1271/- + Rs. 229/- GST) under Mo Bidyut towards installation of Single-Phase meter while providing new connection. TPNODL have started installation of Smart Meter phase wise, beginning with 3 Ph category from July, 2022. The cost of Single-Phase Smart Meter would be around Rs. 4500/- (with GST) including installation needs to be recovered from the consumer. However, as per existing RST order for single phase Smart meter, monthly meter rent is only Rs.60 and licensee are permitted to recover maximum up to 60 months. As a result, entire cost of smart meters including cost of installation is not fully recoverable. Hence, the Licensee has requested the Hon'ble Commission for suitable revision of the monthly meter rent i.e. Rs. 80 from Rs. 60 for Single-Phase Smart Meter

12. Respondent's view – The electricity bills shall be both in Odia and English Language

TPNODL's reply: The Licensee has already taken the necessary steps to provide the monthly electricity bill both in Odia and English language as per direction of Hon'ble Commission.

While we appreciate the objectors' concern, the licensee also in the process of printing the same in Odia language. The length of the energy bill would be reduced through involvement of technology in coming years. As per provision of OERC (Conditions of Supply) Code, 2019 vide para 147 contents of the energy bill has been prescribed. All the information as prescribed has been duly incorporated in the billing software and monthly bill of the consumer is accordingly generated, for which the length of the bill is little enlarged. Further, the licensee is adhering the direction of Hon'ble Commission strictly. There is no such manual intervention in DISCOM billing, it is through FG system & the billing system is taking care, basing upon consumer's category. TPNODL strictly follows and is guided by the OERC (Conditions of Supply) Code, 2019. Meters w.r.t single phase consumers are purchased in lot and are pre-tested. The licensee tests such meters before supplying for installation at consumer premises. Even if the consumer wants re-testing of meters, such meters are sent to the accredited labs and proper documentation is being made for such tested meters.

13. Respondent's view – The temporary estimate are prepared not in a prescribed format and still consumer are supplied at the service materials and licensee are charging 22% supervision charges.

TPNODL's reply: The supervision charge is claimed from the consumers as per the provision of the OERC Distribution (Condition of Supply) Code, 2019 Regulation and rate prescribed by the Govt. of Odisha. All the division under licensee is following the standard format for estimation. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

14. Respondent's view – The single phase bills are not reflecting the MD

TPNODL's reply: Wherever the Static Meters are installed in the consumer premises, our Mobile Application used for billing, records the MD and reflects it in billing.

15. Respondent's view – Licensee are in practice not to acknowledge the copy of agreement, copy of test report to single phase consumer.

TPNODL Reply: The Licensee always observes the condition of Supply Code.

16. Respondent's view – Consumer are providing power supply even though they are not the land owner (road side stalls/ encroached lands etc).

TPNODL Reply: Licensee provides the power supply connection to any consumer under the provision of OERC Distribution (Condition of Supply) Code, 2019 and other relevant Regulation made by Hon'ble commission. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

17. Respondent's view – Option for offline application for power supply in rural area.

TPNODL Reply: At present every sub-division have the facility of Anubhava Kendra where consumer can easily approach and apply for new electricity connection. This facility is also being extended to Section level for providing better service to our valued consumers.

18. Respondent's view – Consumer are not endorsed a copy of installation test report.

TPNODL Reply: The licensee is bound to follow the OERC Distribution (Condition of Supply) Code, 2019 and other relevant Rogations made by Hon'ble commission regarding providing power supply to new consumers. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution.

19. Respondent's view –Difficult on part of consumer to recognize the officer/engineer/ministerial staff/franchiser/ outsource employee whoever they are from which company

TPNODL Reply: All employees of TPNODL having proper official dress code along with company ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of assigned field works.

20. Respondent's view – All the designated officer shall have the official phone no. and official email id.

TPNODL Reply: All the TPNODL employees have been provided with official email id for official correspondence.

21. Respondent's view – Approaching the consumer without dress code and authorization Letter from the competent section office/sub-division.

TPNODL Reply: All the TPNODL executives and staff have been provided with proper dress code and valid ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of any field job assigned to them.

22. Respondent's view – Increase in meter rent of smart meter.

TPNODL Reply: Licensee has already submitted the proposal regarding meter rent for Smart Meter in the ARR FY 2023-24.

23. Respondent's view – Billing with Defective meter.

TPNODL Reply: With regard to billing with defective meters, the licensee in its ARR has requested the Hon'ble Commission for a practice direction for revision of the provisional bill in case of defective meter, considering the past corresponding period's actual consumption. That means if meter found defective in summer, bill shall be revised considering actual consumption of summer only and if it is in winter, past winter period actual meter reading may be taken into consideration. However, basing upon actual consumption during the succeeding six-month period, necessary sundry debit shall be made if the actual consumption in succeeding month is less than the past corresponding period's actual consumption.

24. Respondent's view/objection: Revision of reconnection charges.

TPNODL Reply: The biggest challenge in the field even after disconnection, consumers are reconnecting power supply through their own means and ways. This is not only affecting business of the licensee, at the same time risk of fatal accident cannot be ruled out. It is not possible to monitor post disconnection by 24 X 7 with the available resources as well as it is not cost effective. Further, reconnection charges are continuing since last 10 years even though BST and RST of DISCOMs have increased no of times.

25. Respondent's view/objection: The Hon'ble Commission shall conduct prudent check how many service connection provided in time which are applied through online.

TPNODL Reply: Licensee always furnishes the new connection related data to Hon'ble Commission as per GSOP standard and also performs the periodic GSOP audit through OERC empanelled auditors.

26. Respondent's view/objection: No licensee follows of sec 126 as per procedure. The schedule formats are differs from division to division in one circle.

TPNODL's reply: The objector is requested to bring the individual cases to the notice of the licensee for implementation of GRF/Ombudsman order. The schedule formats which are being used are uniform across the TPNODL and per specified in the relevant OERC Regulations.

27. Respondent's view/objection: Provision of 1912 customer care phone number and employees and worker attendance mechanism.

TPNODL's reply: Apart from 1912 customer service, licensee is also facilitating with Anubhav Kendra at sub-division level, what's app no. (7777004759) for speedy resolution of consumer complaints. Licensee is in the process of installing Biometric attendance system for its employees in all offices.

28. Respondent's view/objection –No dress code for employee/workers deployed for revenue collection, No knowledge about tariff regulation.

TPNODL's reply: Currently, offline revenue collection is being done by designated BA employee and all are equipped with valid ID Card. If any consumer is seeking for clarification related to metering, billing, collection etc. he/she may connect with our customer service centre, what's app, Anubhav Kendra.

29. Respondent's view/objection – Whether existing service connection wire/cable is to be replaced by the consumer or supply company?

TPNODL's reply: Treatment of existing service connection wire/cable is being done as per OERC Distribution (Condition of Supply) Code, 2019 regulation.

30. Respondent's view –Whether the consumer has to pay any charge to replace the seals as per regulation.

TPNODL's reply: There is no any charge required to pay by consumer to replace the meter seal.

31. Respondent's view – Telephone wires are hanging on LT and HT Network.

TPNODL's reply: Licensee has taken up the various initiative to improve the LT and HT Networks under various Capex and Opex Plan (Such as Project Swaach, Clean up, Raksha, Unnati etc.) for improvement in network condition and public safety.

32. Respondent's view/objection: How much rent is generating for drawing the telephone lines, cable lines allowed to draw on their LT/HT network of licensee? Are they ensuring the safety clearance from the competent authority?

TPNODL Reply: Every safety standard are followed by the licensee while drawing the telephone line, cables on the LT/HT Networks.

33. Respondent's view/objection: The copies of periodical safety inspection certificates of 33/11 kV, S/S Feeders, 11/0.40 kV S/S and Feeders and LT Feeders issued by competent authority may kindly be display in the website of the licensee.

TPNODL Reply: Licensee has taken several initiatives for enhancing safety of employee, materials, public, animal and environment through its capital investment plan. All the safety compliance reports are being furnished to the Hon'ble Commission and other competent authorities as per required format mentioned in the prevailing regulations.

34. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.
35. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager(RR&L)

C.C. to: Sri Bidhyadhar Mohanty, At-Chorda, PO-Jajpur Road, Jajpur, Odisha-755019, Mob.
No.: 9338710270

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

10

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: The Utkal Chamber of Commerce & Industry Ltd.(UCCI), N-6, IRC
Village, Nayapalli, Bhubaneswar-751015, pwrtch@gmail.com,
Phone-9437155337

.....Respondent

**Rejoinder to the objection filed by The Utkal Chamber of Commerce & Industry
Ltd.(UCCI) on the Aggregate Revenue Requirement & Wheeling and Retail Supply
Tariff Application filed by TPNODL for the FY 2023-24**

1. That, TPNODL has filed the Annual Revenue Requirement and Retail Supply Tariff Application for the financial year 2023-24 under section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms & Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022 and OERC (Conduct of Business) Regulations, 2004 .
Reply to the points raised by the Ld. Objector are furnished hereunder.
2. **Respondent's view /suggestion :**TPNODL has proposed to fix demand charges for HT Medium category of consumers @Rs.250/KVA p.m

TPNODL Reply:

The detail justification for the proposal has been given in the application. The applicable demand charges and energy charges to the quoted category of consumers under HT are alongwith their energy charges are given in the following tables:

Category of Consumer	Voltage of Supply	Demand Charge (Rs./KVA)
Specified Public Purpose	HT	250
General Purpose >70<110KVA	HT	250
HT Industrial (Medium)	HT	150
Large Industrial	HT	250

The applicable energy charge is same for all the above categories:

Energy Charge (Paise/KVAh)	
Load Factor(%)	HT
≤60%	585.00
>60%	475.00

As the network corridor under same supply voltage is used to supply the required quantum of power to all the above categories – there should not be any disparity in the demand charges, when energy charge is same for all these categories

Further, this is creating a disparity between different categories of consumers availing supply under the same supply voltage.

3. Respondent's view /suggestion :TPNODL has proposed to rationalise MMFC for LT Category of consumers

TPNODL Reply:

The detailed justification for the same has been given in the application . The applicant completely agrees with the objector as far as the provisions of applicability of section 62 (3) of EA, 2003 is concerned. No undue preference should be shown to any category. If provision of equal MMFC for 1st KW as well as additional KW or part thereof is applicable that should be applicable for all categories under LT .

4. Respondent's view /suggestion :TPNODL proposes to consider the actual average Load Factor for all types of consumers during assessment:

TPNODL Reply:

The detailed justification for the same has been given in the application of the licensee.

5. Respondent's view /suggestion : TPNODL has proposed that the consumers availing renewable power through open access to pay wheeling charges and cross subsidy charges

TPNODL Reply:

Detail justification has been given in the application of the licensee. As mentioned by the Ld. Objector, Odisha Renewable Energy Policy 2022 has been notified in November'2022. In Odisha Renewable Energy Policy 2022, Govt. of Odisha has extended relaxation in CSS, wheeling and STU charges as well as ED.

Fifty percent (50%) exemption of Cross-Subsidy Surcharge, 25% exemption on wheeling charges and exemption of 20paise per unit has been provided to open access consumers,

on consumption of energy from RE projects commissioned in the State during the Policy period for fifteen (15) years.

The relaxation granted under State RE Policy is for consumption of energy from RE projects commissioned in the state, not outside the state. So, there is no justification in relaxing the applicable charges for consumption of energy from RE projects commissioned in other states.

6. Respondent's view /suggestion: TPNODL proposed to revise reconnection charges:

TPNODL Reply:

The justification for revision of reconnection charges have been detailed in the application of the licensee.

7. Respondent's view /suggestion: Submission of Business Plan by the applicant.

TPNODL Reply:

The OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 was notified on 23rd December'2022. The timeline specified in the said regulation was 31st January'2023. Keeping in view the time required for preparation and consolidation of the required data for Business Plan for the full control period, the applicant has submitted the Business Plan for the FY 23-24 .

8. Respondent's view /suggestion: Human Resource Expenses

TPNODL Reply: The Ld objector has given a comparative figure of the expenses starting from 2010-11. This will not be out of place to mention here that, over the decades there has been no recruitment and only after obtaining approval of Hon'ble Commission, the applicant has made a comprehensive recruitment plan and made recruitments at strategic locations. Further, the employee cost over the years should have been seen alongwith the inflation over the years.

The detail manpower recruitment plan has already been submitted before Hon'ble Commission. As per OERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022, the applicant has submitted the required details in the prescribed format.

9. Respondent's view /suggestion: R&M Expenses and other cost components

TPNODL Reply:

The Ld Objector has given a comparative presentation of all the cost components year on year starting from 2010-11. This is pertinent to mention here that, TPNODL started operation with effect from 1.4.2021 in compliance to the provisions in Vesting order of Hon'ble Commission in Case No-9/2021 dated 25.3.2021. The license of erstwhile DISCOM was revoked due to inability on its part to achieve the performance targets alongwith other non-achievements /violations. The present applicant has been granted license with certain performance targets with specified timelines. Accordingly, the licensee has prepared its plan of action and started its operation . Therefore, comparing the parameters with that of the erstwhile Utility does not have much relevance.

The projections of the licensee are required to be viewed in reference to its own performance. However, the detail justification against each projection have been submitted by the applicant in its application.

10. Respondent's view /suggestion: Provision of Bad Debt – non submission of Audited accounts.

TPNODL Reply:

The applicant has submitted the audited annual accounts for the 1st year of its operation before Hon'ble Commission. The same is also available in TPNODL website. The licensee has done the provision for bad debt a per the OERC (Terms and Conditions for Determination of Retail Supply Tariff and Wheeling Tariff) Regulations, 2022.

11. Respondent's view /suggestion: Projection of EHT, HT and LT sales

TPNODL Reply:

For projecting the consumption of different categories, TPNODL has analyzed and relied on the past trends of consumption pattern for last ten years and actual sales data for the first six months of FY 2021-22, the impact of electrification of household to be constructed in ensuing year under PMAY (Prime Minister Abas Yajona), left out household not electrified till date under various schemes, actual addition/reduction of loads and other factors like increasing drawl of power through open access.

In the FY 2020-21 and FY 2021-22, the sales in each category have been impacted due to Covid- 19 in the state. The sales have been reviving since then. Therefore, the projection for the FY 2023-24 has been done based on the actual of recent months sales keeping in view the past trend and considering the EHT and HT sales of individual consumer wise

The justification regarding sales forecast has already been elaborated in the ARR application alongwith the actual category wise sales figures of the previous years and six months of current year..

12. Respondent's view /suggestion: Load factor Rebate for consumption beyond 60%LF

TPNODL Reply:

Hon'ble Commission has allowed Load factor rebate for consumption of units beyond 60% LF. The energy charges for HT and EHT consumers for consumption beyond 60% LF is 110 paise per unit less than that for consumption upto 60% LF.

13. High cross subsidy surcharge. OERC should take steps to reduce CS and CSS .

TPNODL's reply:

The contention of the Id. Objector that due to high cross subsidy surcharge, the industries are not able to go for availing power supply through open access is not true. A comparative statement of the no. of consumers availing power through Open Access and the corresponding quantum given in the following table.

Particulars	FY 18-19	FY 19-20	FY 20-21	FY 21-22
No. of Consumers availing power supply through open access	11	13	16	18
Total units availed through Open access (in MU)	1250.69	1333.89	1522.122	1549.136

From the above table, it can be seen that the no. of consumers availing open access as well as the quantum of power availed through open access has increased year on year.

Further, the Ld Objector may refer to para 84 and 85 of RST order FY 23. The computed cross subsidy surcharge for DISCOMs have been given in table -24. In view of the mandate of Electricity Act'2003 under section 42, the cross subsidy surcharge is to be reduced progressively for which Hon'ble Commission fixed the CSS at 67% of the computed values.

14. Respondent's view /suggestion -6% on Service Connection estimate

TPNODL Reply:

Any work that is to be executed by the engaging a licensed Electrical contractor, the work is to be done under the overall supervision and specification of the licensee . Therefore, the provision of 6% supervision charge is there.

15. Respondent's view /suggestion – Security Deposit by means other than cash

TPNODL Reply: The relevant extract on payment of SD from regulation 52(iv) of OERC Distribution (Condition of Supply) code, 2019 is provided hereunder:

“The security deposit shall be paid in cash or by bank draft or by electronic/digital payment. It may also be paid by cheque or by credit card, where specifically allowed by the licensee/supplier”.

Further, regulation provides for interest on the security deposit also. The above provision makes the required amount available with the licensee, which can be utilised without any additional time involvement, in case it will be required to adjust the security deposit. This ensures payment security to the licensee. This matter has already been addressed by Hon'ble Commission in previous Tariff proceedings

16. Respondent's view /suggestion –Surcharge on late payment of SD

TPNODL Reply: The provision of delayed payment surcharge is not to enrich the licensee by 7%-8%. The very aim of the provision is to develop the culture of payment within the stipulated time among the consumers. Because of this provision, the consumer will be persuaded to make payment within the stipulated time. Therefore, the apprehension of the Ld Objector regarding enriching the licensee by this extra amount is baseless.

17. Respondent's view /suggestion- To D Benefit- A differential tariff for peak and off peak hours is necessary to promote demand side management

TPNODL Reply:

ToD benefit has already been extended by Hon'ble Commission for all three phase consumers with static meters excluding Public Lighting, Emergency Supply to CGP, LT Domestic, LT GP, @20Paise per unit for energy consumed during off-peak hours. The intention of Hon'ble Commission is to shift the load of the consumers from peak hours to no-peak night hours. That is quiet in concurrence with the contention of the Ld objector. But the licensee is not in agreement with the proposal of increasing the ToD benefit from 20 paise to 50paise.

The load curve is almost flat now. By increasing the TOD benefit more, the peak hours may be shifted to night hours and there may be requirement of giving Tod benefit for reducing drawl during the period.

18. The, reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement & Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: The Utkal Chamber of Commerce & Industry Ltd.(UCCI), N-6, IRC Village, Nayapalli, Bhubaneswar-751015, pwrch@gmail.com, Phone-9437155337

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

11

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sita Ratan International, Shri Jay Prakash Bhattar, Ward No-4, Near M.P.K. Girls High School, Lalbazar, Po/Ps- Baripada, Mayurbhanj.

..... Objector

Rejoinder to the objection/suggestions filed by Sita Ratan International on the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24

4. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order dated 25.3.2021 in Case No-9/2021 of Hon'ble Commission.
5. The points raised by Ld Objector are not related to ARR of the licensee. The consumer had made allegation regarding delay in providing power supply. This is to inform that the consumer has applied for 186KVA load in LI category on 25.1.22. Estimate was prepared and served to the consumer on dated 4.2.22. Consumer requested for reduced load of 117KVA on 29.4.22. Estimate prepared for 117KVA and served on 21.5.22. Demand note paid on 12.8.22. The site work is complete except 120meter HT cable laying which will be completed within 3-4days.
6. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C.: Sita Ratan International, Shri Jay Prakash Bhattar, Ward No-4, Near M.P.K. Girls High School, Lalbazar, Po/Ps- Baripada, Mayurbhanj.

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

12

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.
.....**Applicant**

AND

IN THE MATTER OF: Shri Panchanana Jena, Working President, Bijuli Karmachari Sangh,
Berhampur

.....**Respondent**

Rejoinder to the objection filed by Shri Panchanana Jena, Working President, Bijuli Karmachari Sangh, Berhampur, on the Aggregate Revenue Requirement & Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

1. That, TPNODL has filed the Annual Revenue Requirement and Retail Supply Tariff Application for the financial year 2023-24 under section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms & Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022 and OERC (Conduct of Business) Regulations, 2004 .
2. **Respondent's view /suggestion : Data on recruitment**

TPNODL Reply:

Total 794 nos. of recruitment done under Executive cadre from the date of vesting till Sep'2022. 62% of the total recruitment is from Odisha domicile. Details of recruitments done, proposed to be recruited, retirements due have been detailed in Table-no-8 of the application of the licensee.

3. The, reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement & Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Shri Panchanan Jena, S/o Late Bairagi Jena, Sakti Nagar 3rd Lane, Near Engineering School Road, Berhampur-760010. E-mail-jena.manoranjan1@gmail.com

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

13

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Umakanta Mohapatra, S/o-Late Prabodh Chandra Mohapatra,
At/PO-Sunhat, PS-Town, Dist.-Balasore-756002.

.....Objector

Rejoinder to the objection filed by Sri Umakanta Mohapatra against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

- 1. Respondent's view/objection:** Petition filed by the petitioner is hard and exhort on consumers and void the legal sanctions.

TPNODL Reply: It is submitted that ARR and Retail Supply Tariff for the FY 2023-24 has been filed by the Licensee before the Hon'ble Commission under Section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms and Conditions for determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulation 2004. DISCOMs being regulated entities are bound to follow the legal provision and regulations of the Electricity Regulatory Commissions in true letter and spirit.

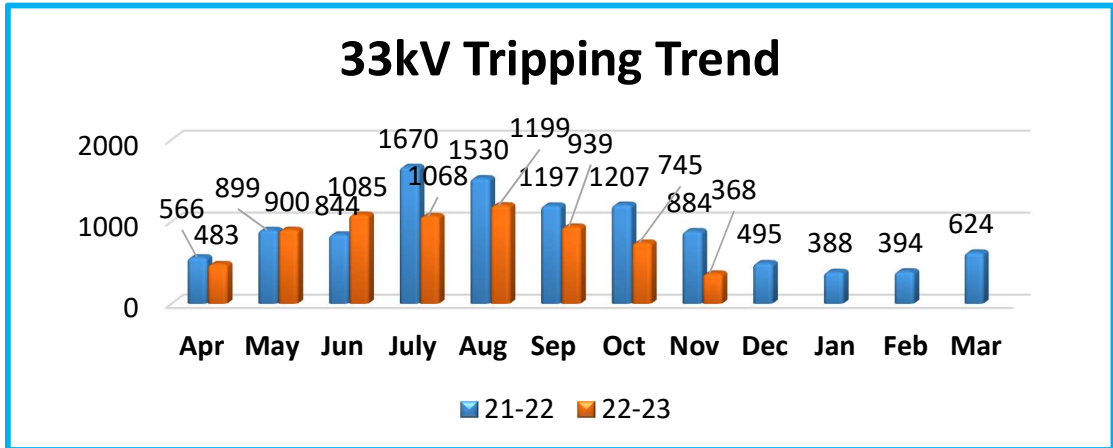
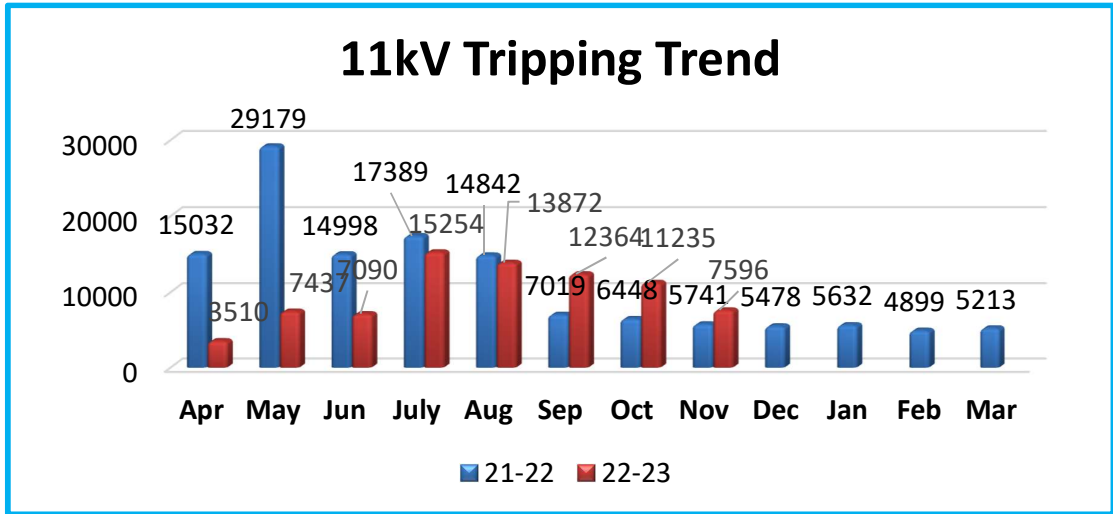
- 2. Respondent's view/objection:** The present proposed ARR of all the Licensee appears higher expenditure in employees cost, Repair and Maintenance cost and A&G, expenditure which is double then the previous year approved expenditure.

TPNODL Reply: Licensee has prepared the ARR as per the provision of OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022, therefore all the projection have been estimated in the ARR as per the norms and terms of the said regulation.

Further, all the audited financial reports of licensee are also furnished to Hon'ble Commission periodically for its prudent check.

- 3. Respondent's view/objection:** Power supply hours to rural consumers half than the urban area.

TPNODL's reply: Licensee have taken several imitative to reduce the outages under its capital investment plan (Such as Project Unnati, Clean up, PTR Bachawo, Tapmaan etc.). The reducing in tripping trends of 11 kV and 33 kV lines (For FY 2021-22 Vs FY 2022-23) are depicted in the following graphs.



The above graphs clearly shows the reducing trend in tripping for both 11 kV and 33 kV voltage levels.

Further, electricity tariff for different category of consumers are uniform across the State irrespective of the differential BSP rate applicable to all the four Discoms of Odisha.

4. **Respondent's view/objection:** DPS on the Domestic & Commercial consumers @ 1.25%. The Licensee misinterpreting/misusing the provision of the regulation extracting money from consumers.

TPNODL Reply: DPS collection is done by licensee as per the provision under Distribution (Condition of Supply) Code, 2019 regulation and directive of tariff orders. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution

5. **Respondent's view/objection:** Present rate of interest on fixed deposits around 6% but interest on Security deposit is not ensure at par.

TPNODL Reply: The interest on security deposit is allowed by Hon'ble Commission under the provision of OERC Distribution (Condition of Supply) code, 2019 regulation. The prevailing bank rate during March, 2022 as notified by RBI is 4.25% per annum as ascertained from RBI website. The Commission accordingly allows the interest at the rate of 4.25% on the closing balance on consumer security deposit. The licensee shall allow the interest on security deposit at the rate announced by the Hon'ble Commission.

6. **Respondent's view/objection:** Bills of consumers are not served in the time and generated on provisional but same time rebate are not passed on to the consumer because of late serving.

TPNODL Reply: During initial operation phase of the licensee, issue in timely raising some of the consumer's bills was observed. However, at present scenario consumer can send the photograph of meter reading and meter no. over dedicated what's app no. (7777004759) and consumer can get his electricity bill in his what's app. Further, licensee is proving the rebate to applicable consumers as per the provision of Tariff Orders.

Further, Consumer always have the option to connect with Customer Service Center, Anubhava Kedra at Sub-division level, and through what's app no. for resolution of metering, billing, collection or any other issues.

7. **Respondent's view/objection:** DISCOM are disconnecting the power supply without proper notice and they are not ensuring/confirming with reason at the time of disconnection.

TPNODL Reply: Disconnection of power supply is done as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation. However, objector is requested to bring the individual cases to the notice of the licensee for further clarification.

- 8. Respondent's view/objection:** Discom shall give the detail financial benefits derived from the Capex Plan on account of loss reduction and its impact on tariff.

TPNODL Reply: The detailed capex plan along with Detailed Project Report are furnished before the Hon'ble Commission each year as per provision of Vesting Order of licensee. Accordingly, Hon'ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

- 9. Respondent's view/objection:** Interest on security deposit may be increased as 4.25% is too low and company is enjoying 6 % interest on security deposit.

TPNODL Reply: The interest on security deposit is allowed by Hon'ble commission as per the provision of OERC Distribution (Condition of Supply) code, 2019 regulation. The prevailing bank rate during March, 2022 as notified by RBI is 4.25% per annum as ascertained from RBI website. The Commission accordingly allows the interest at the rate of 4.25% on the closing balance on consumer security deposit.

- 10. Respondent's view/objection:** Unlike domestic and commercial consumers other consumers may be provided with suitable digital rebate.

TPNODL's reply: In previous year (FY 2022-23) ARR filing licensee had proposed digital payment rebate for LT Domestic, LT GP single phase & Single phase irrigation consumer from 2% to 3%. In current year ARR filing licensee has proposed additional digital payment rebate of 1 % (from existing 3% to increment of 4%) for LT Domestic, LT GP single phase & Single phase irrigation consumer for promoting digital payment.

- 11. Respondent's view/objection:** The cost of meter shall be borne by the supplier not by the consumer.

TPNODL's reply: The recovery of meter rent is done by the licensee as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation.

- 12. Respondent's view –** The electricity bills shall be both in Odia and English Language

TPNODL's reply: The Licensee has already taken the necessary steps to provide the monthly electricity bill both in Odia and English language as per direction of Hon'ble Commission.

- 13. Respondent's view –** The temporary estimate are prepared not in a prescribed format and still consumer are supplied at the service materials and licensee are charging 22% supervision charges.

TPNODL's reply: The supervision charge is claimed from the consumers as per the provision of the OERC Distribution (Condition of Supply) Code, 2019 Regulation and rate prescribed by the Govt. of Odisha. All the division under licensee is following the

standard format for estimation. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

14. Respondent's view – The single phase bills are not reflecting the MD

TPNODL's reply: Wherever the Static Meters are installed in the consumer premises, our Mobile Application used for billing, records the MD and reflects it in billing.

15. Respondent's view – Licensee are in practice not to acknowledge the copy of agreement, copy of test report to single phase consumer.

TPNODL Reply: The Licensee always observes the condition of Supply Code.

16. Respondent's view – Consumer are providing power supply even though they are not the land owner (road side stalls/ encroached lands etc).

TPNODL Reply: Licensee provides the power supply connection to any consumer under the provision of OERC Distribution (Condition of Supply) Code, 2019 and other relevant Regulation made by Hon'ble commission. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

17. Respondent's view – Option for offline application for power supply in rural area.

TPNODL Reply: At present every sub-division have the facility of Anubhava Kendra where consumer can easily approach and apply for new electricity connection. This facility is also being extended to Section level for providing better service to our valued consumers.

18. Respondent's view – Consumer are not endorsed a copy of installation test report.

TPNODL Reply: The licensee is bound to follow the OERC Distribution (Condition of Supply) Code, 2019 and other relevant Rogations made by Hon'ble commission regarding providing power supply to new consumers. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution.

19. Respondent's view –Difficult on part of consumer to recognize the officer/engineer/ministerial staff/franchiser/ outsource employee whoever they are from which company

TPNODL Reply: All employees of TPNODL having proper official dress code along with company ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of assigned filed works.

20. Respondent's view – All the designated officer shall have the official phone no. and official email id.

TPNODL Reply: All the TPNODL employees have been provided with official email id for official correspondence.

21. Respondent's view – Approaching the consumer without dress code and authorization Letter from the competent section office/sub-division.

TPNODL Reply: All the TPNODL executives and staff have been provided with proper dress code and valid ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of any field job assigned to them.

22. Respondent's view – Increase in meter rent of smart meter.

TPNODL Reply: Licensee has already submitted the proposal regarding meter rent for Smart Meter in the ARR FY 2023-24.

23. Respondent's view – Billing with Defective meter.

TPNODL Reply: Billing with defective meters is carried out by licensee as per the provision under OERC Distribution (Condition of Supply) Code, 2019. However, objector is requested to bring the individual cases to the notice of the licensee for its remedial action.

24. Respondent's view/objection: The Hon'ble Commission shall conduct prudent check how many service connection provided in time which are applied through online.

TPNODL Reply: Licensee always furnishes the new connection related data to Hon'ble Commission as per GSOP standard and also performs the periodic GSOP audit through OERC empanelled auditors.

25. Respondent's view/objection: No licensee follows of sec 126 as per procedure. The schedule formats are differs from division to division in one circle.

TPNODL's reply: The objector is requested to bring the individual cases to the notice of the licensee for implementation of GRF/Ombudsman order. The schedule formats which are being used are uniform across the TPNODL and per specified in the relevant OERC Regulations.

26. Respondent's view/objection: Provision of 1912 customer care phone number and employees and worker attendance mechanism.

TPNODL's reply: Apart from 1912 customer service, licensee is also facilitating with Anubhav Kendra at sub-division level, what's app no. (7777004759) for speedy resolution of consumer complaints. Licensee is in the process of installing Biometric attendance system for its employees in all offices.

27. Respondent's view/objection –No dress code for employee/workers deployed for revenue collection, No knowledge about tariff regulation.

TPNODL's reply: Currently, offline revenue collection is being done by designated BA employee and all are equipped with valid ID Card. If any consumer is seeking for clarification related to metering, billing, collection etc. he/she may connect with our customer service centre, what's app, Anubhav Kendra.

28. Respondent's view/objection – Whether existing service connection wire/cable is to be replaced by the consumer or supply company?

TPNODL's reply: Treatment of existing service connection wire/cable is being done as per OERC Distribution (Condition of Supply) Code, 2019 regulation.

29. Respondent's view –Whether the consumer has to pay any charge to replace the seals as per regulation.

TPNODL's reply: There is no any charge required to pay by consumer to replace the meter seal.

30. Respondent's view – Telephone wires are hanging on LT and HT Network.

TPNODL's reply: Licensee has taken up the various initiative to improve the LT and HT Networks under various Capex and Opex Plan (Such as Project Swaach, Clean up, Raksha, Unnati etc.) for improvement in network condition and public safety.

31. Respondent's view – The number of consumer refunded/ adjusted the excess Security deposit amount from date of vesting orders as per Regulation 53 and 54 of the supply Code.

TPNODL Reply: In each FY assessment is carried out by the licensee.

32. Respondent's view/objection: How much rent is generating for drawing the telephone lines, cable lines allowed to draw on their LT/HT network of licensee? Are they ensuring the safety clearance from the competent authority?

TPNODL Reply: Every safety standard are followed by the licensee while drawing the telephone line, cables on the LT/HT Networks.

33. Respondent's view/objection: The copies of periodical safety inspection certificates of 33/11 kV, S/S Feeders, 11/0.40 kV S/S and Feeders and LT Feeders issued by competent authority may kindly be display in the website of the licensee.

TPNODL Reply: Licensee has taken several initiatives for enhancing safety of employee, materials, public, animal and environment through its capital investment plan. All the safety compliance reports are being furnished to the Hon'ble Commission and other competent authorities as per required format mentioned in the prevailing regulations.

34. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

35. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Umakanta Mohapatra, S/o-Late Prabodh Chandra Mohapatra, At/PO-Sunhat, PS-Town, Dist.-Balasore-756002.

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: M/s. Tata Steel Limited, Kalinganagar Industrial Complex, Duburi,
JK Road, Dist-Jajpur, PIN-755026

.....Respondent

Rejoinder to the objection filed by M/s. Tata Steel Limited, Kalinganagar Industrial Complex on the Aggregate Revenue Requirement & Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

21. That, TPNODL has filed the Annual Revenue Requirement and Retail Supply Tariff Application for the financial year 2023-24 under section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms & Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022 and OERC (Conduct of Business) Regulations, 2004 .
22. **Respondent's view /suggestion: Submission of Business Plan by the applicant.**

TPNODL Reply:

The OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 was notified on 23rd December'2022. The timeline specified in the said regulation was 31st January'2023. Keeping in view the time required for preparation and consolidation of the required data for Business Plan for the full control period, the applicant has submitted the Business Plan for the FY 23-24 .

23. **Respondent's view /suggestion: Licensee has not submitted Audited Balance Sheet**

TPNODL Reply:

The licensee submits the audited Financials before Hon'ble Commission from time to time. The audited financials of the licensee for the FY 22 has already been submitted before Hon'ble Commission and also available in the licensee's website.

- 24. Respondent's view /suggestion :TPNODL proposes to consider the actual average Load Factor for all types of consumers during assessment:**

TPNODL Reply:

The detailed justification for the same has been given in the application of the licensee.

- 25. Respondent's view /suggestion: TPNODL proposed to revise reconnection charges:**

TPNODL Reply:

The justification for revision of reconnection charges have been detailed in the application of the licensee.

- 26. Respondent's view /suggestion: Projection of EHT, HT and LT sales**

TPNODL Reply:

For projecting the consumption of different categories, TPNODL has analyzed and relied on the past trends of consumption pattern for last ten years and actual sales data for the first six months of FY 2021-22, the impact of electrification of household to be constructed in ensuing year under PMAY (Prime Minister Abas Yajona), left out household not electrified till date under various schemes, actual addition/reduction of loads and other factors like increasing drawl of power through open access.

In the FY 2020-21 and FY 2021-22, the sales in each category have been impacted due to Covid- 19 in the state. The sales have been reviving since then. Therefore, the projection for the FY 2023-24 has been done based on the actual of recent months sales keeping in view the past trend and considering the EHT and HT sales of individual consumer wise. State Govt. has announced 10.5trillion of investment. But materialization of industrial projects do have a definite gestation period and also procedural requirement for checking the network availability. The licensee has considered individual consumer/prospective consumer wise load keeping in view their individual load materialization period. The information has been submitted before Hon'ble Commission .

- 27. Respondent's view /suggestion: Requirement for a special Tariff for Mega steel Plant**

TPNODL Reply:

The licensee has proposed a number of measures to support industrial growth. Presently we are having 36 tariff categories. Increase in tariff categories will just create much complication the procedure. However, Hon'ble Commission may decide the matter on merit.

- 28. Respondent's view /suggestion : Re-introduction of waiver of CSS for the consumers availing renewable power through open access to pay wheeling charges and cross subsidy charges**

TPNODL Reply:

Detail justification has been given in the application of the licensee. As mentioned by the Ld. Objector, Odisha Renewable Energy Policy 2022 has been notified in November'2022. In Odisha Renewable Energy Policy 2022, Govt. of Odisha has extended relaxation in CSS, wheeling and STU charges as well as ED.

Fifty percent (50%) exemption of Cross-Subsidy Surcharge, 25% exemption on wheeling charges and exemption of 20paise per unit has been provided to open access consumers, on consumption of energy from RE projects commissioned in the State during the Policy period for fifteen (15) years.

The relaxation granted under State RE Policy is for consumption of energy from RE projects commissioned in the state, not outside the state. So, there is no justification in relaxing the applicable charges for consumption of energy from RE projects commissioned in other states.

- 29. Respondent's view /suggestion: Human Resource Expenses**

TPNODL Reply: The Ld objector has given a comparative figure of the expenses starting from 2010-11. This will not be out of place to mention here that, over the decades there has been no recruitment and only after obtaining approval of Hon'ble Commission, the applicant has made a comprehensive recruitment plan and made recruitments at strategic locations. Further, the employee cost over the years should have been seen alongwith the inflation over the years.

The detail manpower recruitment plan has already been submitted before Hon'ble Commission. As per OERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022, the applicant has submitted the required details in the prescribed format.

- 30. Respondent's view /suggestion: R&M Expenses and other cost components**

TPNODL Reply:

The Ld Objector has given a comparative presentation of all the cost components year on year starting from 2010-11. This is pertinent to mention here that, TPNODL started operation with effect from 1.4.2021 in compliance to the provisions in Vesting order of Hon'ble Commission in Case No-9/2021 dated 25.3.2021. The license of erstwhile DISCOM was revoked due to inability on its part to achieve the performance targets alongwith other non-achievements /violations. The present applicant has been granted license with certain performance targets with specified timelines. Accordingly, the licensee has prepared its plan of action and started its operation . Therefore, comparing the parameters with that of the erstwhile Utility does not have much relevance.

The projections of the licensee are required to be viewed in reference to its own performance. However, the detail justification against each projection have been submitted by the applicant in its application.

31. Respondent's view /suggestion: Provision of Bad Debt – non submission of Audited accounts.

TPNODL Reply: The applicant has submitted the audited annual accounts for the 1st year of its operation before Hon'ble Commission. The same is also available in TPNODL website. The licensee has done the provision for bad debt a per the OERC (Terms and Conditions for Determination of Retail Supply Tariff and Wheeling Tariff) Regulations, 2022.

32. Respondent's view /suggestion- To D Benefit- A differential tariff for peak and off peak hours is necessary to promote demand side management

TPNODL Reply:

ToD benefit has already been extended by Hon'ble Commission for all three phase consumers with static meters excluding Public Lighting, Emergency Supply to CGP, LT Domestic, LT GP, @20Paise per unit for energy consumed during off-peak hours. The intention of Hon'ble Commission is to shift the load of the consumers from peak hours to no-peak night hours. That is quiet in concurrence with the contention of the Ld objector. But the licensee is not in agreement with the proposal of increasing the ToD benefit from 20 paise to 50paise.

The load curve is almost flat now. By increasing the TOD benefit more, the peak hours may be shifted to night hours and there may be requirement of giving Tod benefit for reducing drawl during the period.

33. Respondent's view /suggestion-TPNODL is not allowing reduction in load as per Supply Code

TPNODL Reply: The allegation made by the consumer that load reduction is not being extended by the licensee as per the provisions of Supply Code is completely false. The licensee has taken all steps for reduction of load and even communicated draft agreement. However, the consumer wanted to change the name and reduce the load simultaneously, for which additional documents were sought for effecting name change. The chronology of events are given hereunder:

- 21.01.2023- Consumer deposited processing fees for CD reduction.
- 24.01.2023- Confirmation mail was sent to Consumer regarding agreement signing.

- 25.01.2023- Draft agreement copy was shared with consumer and asked to come for agreement on 27.01.2023
- 26.01.2023- On phone, consumer insisted to sign the agreement on the name of TATA Steel mining. However it was informed that name change can be done once CD reduction process is completed. They stated that they will confirm after consultation with their Legal Team.
- 29.01.2023- Consumer requested to complete both the process(CD reduction & name change) in one agreement, and they confirmed that they will submit the name change request soon.
- 30.01.2023- Consumer was informed to apply for name change and to submit required documents on the name of TATA Steel mining.
- 14.02.2023- Consumer submitted documents for name change, but Land document was missing.
- 14.02.2023- Consumer deposited processing fees for name change.
- 16.02.2023- Consumer submitted a letter mentioning that, they are in process of land lease transfer and requested to change the name considering NCLT order.

The above sequence of events clearly reveals that the allegation made by the consumer is completely false.

34. The, reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement & Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: M/s. Tata Steel Limited, Kalinganagar Industrial Complex, Duburi, JK Road, Dist-Jajpur, PIN-755026

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: M/s. VISA Steel Limited, Kalinganagar Industrial Complex, At/Po-
Jakhpura, Dist- Jajpur, Odisha-755026

.....Respondent

Rejoinder to the objection filed by M/s. VISA Steel Limited, Kalinganagar Industrial Complex on the Aggregate Revenue Requirement & Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

1. That, TPNODL has filed the Annual Revenue Requirement and Retail Supply Tariff Application for the financial year 2023-24 under section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms & Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022 and OERC (Conduct of Business) Regulations, 2004 .
2. **Respondent's view /suggestion :TPNODL proposes to consider the actual average Load Factor for all types of consumers during assessment:**

TPNODL Reply:

The detailed justification for the same has been given in the application of the licensee.

3. **Respondent's view /suggestion : TPNODL has proposed that the consumers availing renewable power through open access to pay wheeling charges and cross subsidy charges**

TPNODL Reply:

Detail justification has been given in the application of the licensee. As mentioned by the Ld. Objector, Odisha Renewable Energy Policy 2022 has been notified in November'2022. In Odisha Renewable Energy Policy 2022, Govt. of Odisha has extended relaxation in CSS, wheeling and STU charges as well as ED.

Fifty percent (50%) exemption of Cross-Subsidy Surcharge, 25% exemption on wheeling charges and exemption of 20paise per unit has been provided to open access consumers,

on consumption of energy from RE projects commissioned in the State during the Policy period for fifteen (15) years.

The relaxation granted under State RE Policy is for consumption of energy from RE projects commissioned in the state, not outside the state. So, there is no justification in relaxing the applicable charges for consumption of energy from RE projects commissioned in other states.

4. Respondent's view /suggestion: TPNODL proposed to revise reconnection charges:

TPNODL Reply:

The justification for revision of reconnection charges have been detailed in the application of the licensee.

5. Respondent's view /suggestion: Submission of Business Plan by the applicant.

TPNODL Reply:

The OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 was notified on 23rd December'2022. The timeline specified in the said regulation was 31st January'2023. Keeping in view the time required for preparation and consolidation of the required data for Business Plan for the full control period, the applicant has submitted the Business Plan for the FY 23-24 .

6. Respondent's view /suggestion: Human Resource Expenses

TPNODL Reply: The Ld objector has given a comparative figure of the expenses starting from 2010-11. This will not be out of place to mention here that, over the decades there has been no recruitment and only after obtaining approval of Hon'ble Commission, the applicant has made a comprehensive recruitment plan and made recruitments at strategic locations. Further, the employee cost over the years should have been seen alongwith the inflation over the years.

The detail manpower recruitment plan has already been submitted before Hon'ble Commission. As per OERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022, the applicant has submitted the required details in the prescribed format.

7. Respondent's view /suggestion: R&M Expenses and other cost components

TPNODL Reply:

The Ld Objector has given a comparative presentation of all the cost components year on year starting from 2010-11. This is pertinent to mention here that, TPNODL started operation with effect from 1.4.2021 in compliance to the provisions in Vesting order of

Hon'ble Commission in Case No-9/2021 dated 25.3.2021. The license of erstwhile DISCOM was revoked due to inability on its part to achieve the performance targets alongwith other non-achievements /violations. The present applicant has been granted license with certain performance targets with specified timelines. Accordingly, the licensee has prepared its plan of action and started its operation . Therefore, comparing the parameters with that of the erstwhile Utility does not have much relevance.

The projections of the licensee are required to be viewed in reference to its own performance. However, the detail justification against each projection have been submitted by the applicant in its application.

8. Respondent's view /suggestion: Provision of Bad Debt – non submission of Audited accounts.

TPNODL Reply: The applicant has submitted the audited annual accounts for the 1st year of its operation before Hon'ble Commission. The same is also available in TPNODL website. The licensee has done the provision for bad debt as per the OERC (Terms and Conditions for Determination of Retail Supply Tariff and Wheeling Tariff) Regulations, 2022.

9. Respondent's view /suggestion :TPNODL has proposed to fix demand charges for HT Medium category of consumers @Rs.250/KVA p.m

TPNODL Reply:

The detail justification for the proposal has been given in the application. The applicable demand charges and energy charges to the quoted category of consumers under HT are alongwith their energy charges are given in the following tables:

Category of Consumer	Voltage of Supply	Demand Charge (Rs./KVA)
Specified Public Purpose	HT	250
General Purpose >70<110KVA	HT	250
HT Industrial (Medium)	HT	150
Large Industrial	HT	250

The applicable energy charge is same for all the above categories:

Energy Charge (Paise/KVAh)	
Load Factor(%)	HT
≤60%	585.00
>60%	475.00

As the network corridor under same supply voltage is used to supply the required quantum of power to all the above categories – there should not be any disparity in the demand charges, when energy charge is same for all these categories
Further, this is creating a disparity between different categories of consumers availing supply under the same supply voltage.

10. Respondent's view /suggestion :TPNODL has proposed to rationalise MMFC for LT Category of consumers

TPNODL Reply:

The detailed justification for the same has been given in the application . The applicant completely agrees with the objector as far as the provisions of applicability of section 62 (3) of EA, 2003 is concerned. No undue preference should be shown to any category. If provision of equal MMFC for 1st KW as well as additional KW or part thereof is applicable that should be applicable for all categories under LT .

11. Respondent's view /suggestion: Projection of EHT, HT and LT sales

TPNODL Reply:

For projecting the consumption of different categories, TPNODL has analyzed and relied on the past trends of consumption pattern for last ten years and actual sales data for the first six months of FY 2021-22, the impact of electrification of household to be constructed in ensuing year under PMAY (Prime Minister Abas Yajona), left out household not electrified till date under various schemes, actual addition/reduction of loads and other factors like increasing drawl of power through open access.

In the FY 2020-21 and FY 2021-22, the sales in each category have been impacted due to Covid- 19 in the state. The sales have been reviving since then. Therefore, the projection for the FY 2023-24 has been done based on the actual of recent months sales keeping in view the past trend and considering the EHT and HT sales of individual consumer wise

The justification regarding sales forecast has already been elaborated in the ARR application alongwith the actual category wise sales figures of the previous years and six months of current year..

12. Respondent's view /suggestion: Load factor Rebate for consumption beyond 60%LF

TPNODL Reply:

Hon'ble Commission has allowed Load factor rebate for consumption of units beyond 60% LF. The energy charges for HT and EHT consumers for consumption beyond 60% LF is 110 paise per unit less than that for consumption upto 60% LF.

13. Respondent's view /suggestion -6% on Service Connection estimate

TPNODL Reply:

Any work that is to be executed by the engaging a licensed Electrical contractor, the work is to be done under the overall supervision and specification of the licensee . Therefore, the provision of 6% supervision charge is there.

14. Respondent's view /suggestion – Security Deposit by means other than cash

TPNODL Reply: The relevant extract on payment of SD from regulation 52(iv) of OERC Distribution (Condition of Supply) code, 2019 is provided hereunder:

“The security deposit shall be paid in cash or by bank draft or by electronic/digital payment. It may also be paid by cheque or by credit card, where specifically allowed by the licensee/supplier”.

Further, regulation provides for interest on the security deposit also. The above provision makes the required amount available with the licensee, which can be utilised without any additional time involvement, in case it will be required to adjust the security deposit. This ensures payment security to the licensee. This matter has already been addressed by Hon'ble Commission in previous Tariff proceedings

15. Respondent's view /suggestion –Surcharge on late payment of SD

TPNODL Reply: The provision of delayed payment surcharge is not to enrich the licensee by 7%-8%. The very aim of the provision is to develop the culture of payment within the stipulated time among the consumers. Because of this provision, the consumer will be persuaded to make payment within the stipulated time. Therefore, the apprehension of the Ld Objector regarding enriching the licensee by this extra amount is baseless.

16. Respondent's view /suggestion- To D Benefit- A differential tariff for peak and off peak hours is necessary to promote demand side management

TPNODL Reply:

ToD benefit has already been extended by Hon'ble Commission for all three phase consumers with static meters excluding Public Lighting, Emergency Supply to CGP, LT Domestic, LT GP, @20Paise per unit for energy consumed during off-peak hours. The intention of Hon'ble Commission is to shift the load of the consumers from peak hours

to no-peak night hours. That is quiet in concurrence with the contention of the Ld objector. But the licensee is not in agreement with the proposal of increasing the ToD benefit from 20 paise to 50paise.

The load curve is almost flat now. By increasing the TOD benefit more, the peak hours may be shifted to night hours and there may be requirement of giving Tod benefit for reducing drawl during the period.

17. The, reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement & Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: M/s. VISA Steel Limited, Kalinganagar Industrial Complex, At/Po- Jakhpura, Dist- Jajpur, Odisha-755026, E-mail-dr.dash@visasteel.com, Mobile-9777958822

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

16

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....**Applicant**

AND

IN THE MATTER OF: M/s. Grinity Power Tech Pvt. Ltd, Registered office at K-8-82, Kalinga Nagar, Ghatikia, Bhubaneswar-751029, Phone No-0674-29542

.....**Respondent**

Rejoinder to the objection filed by M/s. Grinity Power Tech Pvt. Ltd, Registered office at K-8-82, Kalinga Nagar, Ghatikia, Bhubaneswar-751029 on the Aggregate Revenue Requirement & Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

1. That, TPNODL has filed the Annual Revenue Requirement and Retail Supply Tariff Application for the financial year 2023-24 under section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms & Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022 and OERC (Conduct of Business) Regulations, 2004 .
2. **Respondent's view /suggestion :**TPNODL has proposed to fix demand charges for HT Medium category of consumers @Rs.250/KVA p.m

TPNODL Reply:

The detail justification for the proposal has been given in the application. The applicable demand charges and energy charges applicable for the cited category of consumers under HT are given in the following tables:

Category of Consumer	Voltage of Supply	Demand Charge (Rs./KVA)
Specified Public Purpose	HT	250
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The applicable energy charge is same for all the above categories:

Energy Charge (Paise /KVAh)	
Load Factor (%)	HT
=<60%	585.00
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As the network corridor under same supply voltage is used to supply the required quantum of power to all the above categories – there should not be any disparity in the demand charges, when energy charge is same for all these categories.

Further, this is creating a disparity between different categories of consumers availing supply under the same supply voltage.

3. Respondent’s view /suggestion :TPNODL has proposed to rationalise MMFC for LT Category of consumers

TPNODL Reply:

The detailed justification for the same has been given in the application. The applicant completely agrees with the objector as far as the provisions of applicability of section 62 (3) of EA, 2003 is concerned. No undue preference should be shown to any category. If provision of equal MMFC for 1st KW as well as additional KW or part thereof is applicable for some categories , there should not be reduced charges for additional KW for other categories under LT .

4. Respondent’s view /suggestion : TPNODL proposes to consider the actual average Load Factor for all types of consumers during assessment:

TPNODL Reply:

The detailed justification for the same has been given in the application of the licensee.

5. Respondent’s view /suggestion : TPNODL has proposed that the consumers availing renewable power through open access to pay wheeling charges and cross subsidy charges

TPNODL Reply:

Detailed justification has been given in the application of the licensee. As mentioned by the Ld. Objector, Odisha Renewable Energy Policy 2022 has been notified in November’2022. In Odisha Renewable Energy Policy 2022, Govt. of Odisha has extended relaxation in CSS, wheeling and STU charges as well as ED.

Fifty percent (50%) exemption of Cross-Subsidy Surcharge, 25% exemption on wheeling charges and exemption of 20paise per unit has been provided to open access consumers, on consumption of energy from RE projects commissioned in the State during the Policy period for fifteen (15) years.

The relaxation granted under State RE Policy is for consumption of energy from RE projects commissioned in the state, not outside the state. So, there is no justification in relaxing the applicable charges for consumption of energy from RE projects commissioned in other states.

6. Respondent's view /suggestion: TPNODL proposed to revise reconnection charges:

TPNODL Reply:

The justification for revision of reconnection charges have been detailed in the application of the licensee.

7. Respondent's view /suggestion: Submission of Business Plan by the applicant.

TPNODL Reply:

The OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulations, 2022 was notified on 23rd December'2022. The timeline specified in the said regulation was 31st January'2023. Keeping in view the time required for preparation and consolidation of the required data for Business Plan for the full control period, the applicant has submitted the Business Plan for the FY 23-24 .

8. Respondent's view /suggestion: Human Resource Expenses

TPNODL Reply: The Ld objector has given a comparative figure of the expenses starting from 2010-11. This will not be out of place to mention here that, over the decades there has been no recruitment and only after obtaining approval of Hon'ble Commission, the applicant has made a comprehensive recruitment plan and made recruitments at strategic locations. Further, the employee cost over the years should have been seen alongwith the inflation over the years.

The detail manpower recruitment plan has already been submitted before Hon'ble Commission. As per OERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022, the applicant has submitted the required details in the prescribed format.

9. Respondent's view /suggestion: R&M Expenses and other cost components

TPNODL Reply:

The Ld Objector has given a comparative presentation of all the cost components year on year starting from 2010-11. This is pertinent to mention here that, TPNODL started operation with effect from 1.4.2021 in compliance to the provisions in Vesting order of Hon'ble Commission in Case No-9/2021 dated 25.3.2021. The license of erstwhile DISCOM was revoked due to inability on its part to achieve the performance targets alongwith other non-achievements /violations. The present applicant has been granted license with certain performance targets with specified timelines. Accordingly, the licensee has prepared its plan of action and started its operation . Therefore, comparing the parameters with that of the erstwhile Utility does not have much relevance.

The projections of the licensee are required to be viewed in reference to its own performance. However, the detail justification against each projection have been submitted by the applicant in its application.

10. Respondent's view /suggestion: Provision of Bad Debt – non submission of Audited accounts.

TPNODL Reply: The applicant has submitted the audited annual accounts for the 1st year of its operation before Hon'ble Commission. The same is also available in TPNODL website. The licensee has done the provision for bad debt as per the OERC (Terms and Conditions for Determination of Retail Supply Tariff and Wheeling Tariff) Regulations, 2022.

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TPNODL Reply:

For projecting the consumption of different categories, TPNODL has analyzed and relied on the past trends of consumption pattern for last ten years and actual sales data for the first six months of FY 2021-22, the impact of electrification of household to be constructed in ensuing year under PMAY (Prime Minister Abas Yajona), left out household not electrified till date under various schemes, actual addition/reduction of loads and other factors like increasing drawl of power through open access.

In the FY 2020-21 and FY 2021-22, the sales in each category have been impacted due to Covid- 19 in the state. The sales have been reviving since then. Therefore, the projection for the FY 2023-24 has been done based on the actual of recent months sales keeping in view the past trend and considering the EHT and HT sales of individual consumer wise

The justification regarding sales forecast has already been elaborated in the ARR application alongwith the actual category wise sales figures of the previous years and six months of current year.

12. Respondent's view /suggestion: Load factor Rebate for consumption beyond 60%LF

TPNODL Reply:

Hon'ble Commission has allowed Load factor rebate for consumption of units beyond 60% LF. The energy charges for HT and EHT consumers for consumption beyond 60% LF is 110 paise per unit less than that for consumption upto 60% LF.

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Any work that is to be executed by the engaging a licensed Electrical contractor, the work is to be done under the overall supervision and specification of the licensee . Therefore, the provision of 6% supervision charge is there.

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TPNODL Reply: The relevant extract on payment of SD from regulation 52(iv) of OERC Distribution (Condition of Supply) code, 2019 is provided hereunder:

“The security deposit shall be paid in cash or by bank draft or by electronic/digital payment. It may also be paid by cheque or by credit card, where specifically allowed by the licensee/supplier”.

Further, regulation provides for interest on the security deposit also. The above provision makes the required amount available with the licensee, which can be utilised without any additional time involvement, in case it will be required to adjust the security deposit. This ensures payment security to the licensee. This matter has already been addressed by Hon'ble Commission in previous Tariff proceedings.

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to make payment within the stipulated time. Therefore, the apprehension of the Ld Objector regarding enriching the licensee by this extra amount is baseless.

- 16. Respondent's view /suggestion-** ToD Benefit- A differential tariff for peak and off peak hours is necessary to promote demand side management

TPNODL Reply:

ToD benefit has already been extended by Hon'ble Commission for all three phase consumers with static meters excluding Public Lighting, Emergency Supply to CGP, LT Domestic, LT GP , @20Paise per unit for energy consumed during off-peak hours. The intention of Hon'ble Commission is to shift the load of the consumers from peak hours to no-peak night hours. That is quiet in concurrence with the contention of the Ld objector. But the licensee is not in agreement with the proposal of increasing the ToD benefit from 20paise to 50paise.

The load curve is almost flat now. By increasing the TOD benefit more, the peak hours may be shifted to night hours and there may be requirement of giving ToD benefit for reducing drawl during the period.

- 17.** The, reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement & Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: M/s. Grinity Power Tech Pvt. Ltd, Registered office at K-8-82, Kalinga Nagar, Ghatikia, Bhubaneswar-751029, Phone No-0674-29542

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

17

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Ananta Narayan Mahanty, S/O-Biswanath Mahanty, At/PO-
Namakoyi, PS-K Nuagum, Dist-Ganjam-761042.

.....Objector

Rejoinder to the objection filed by Sri Ananta Narayan Mahanty against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

- 1. Respondent's view/objection:** Petition filed by the petitioner is hard and exhort on consumers and void the legal sanctions.

TPNODL Reply: It is submitted that ARR and Retail Supply Tariff for the FY 2023-24 has been filed by the Licensee before the Hon'ble Commission under Section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms and Conditions for determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulation 2004. DISCOMs being regulated entities are bound to follow the legal provision and regulations of the Electricity Regulatory Commissions in true letter and spirit.

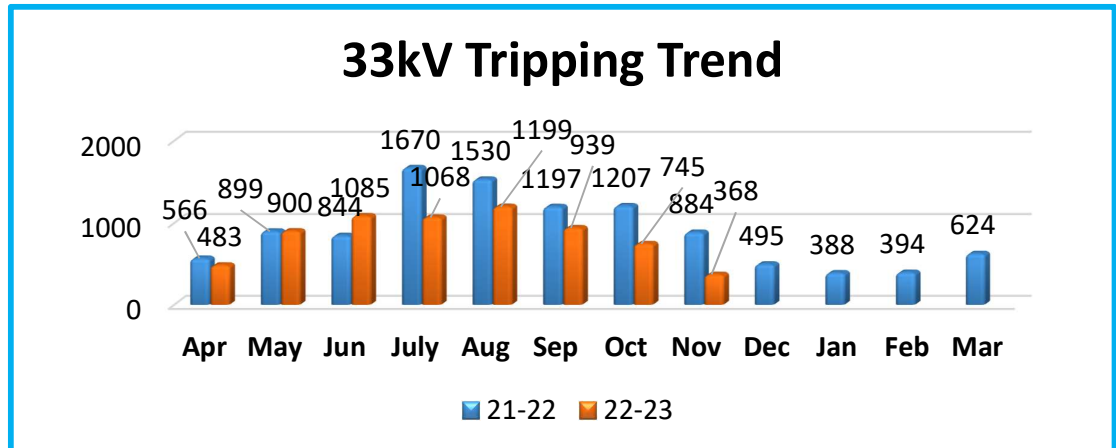
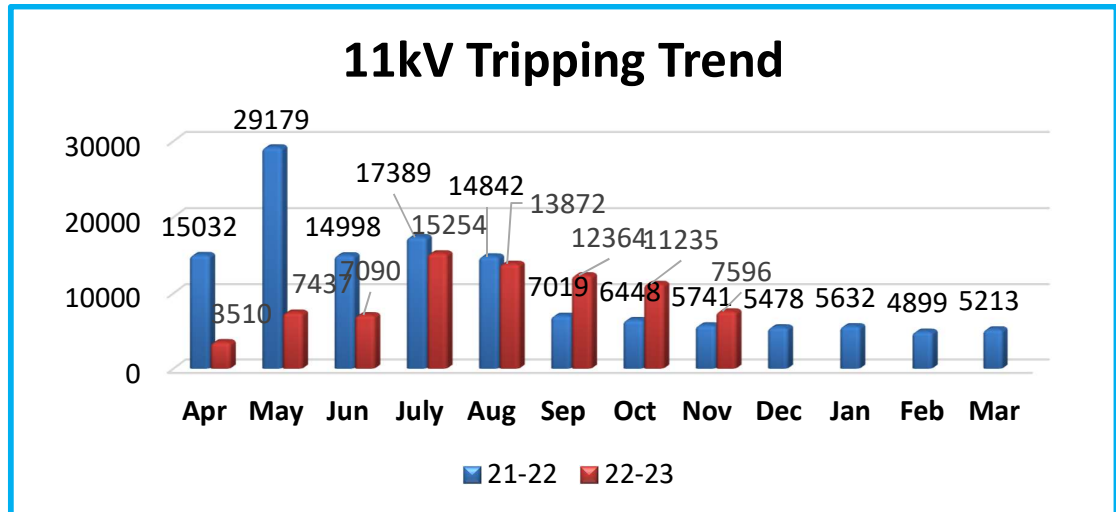
- 2. Respondent's view/objection:** The present proposed ARR of all the Licensee appears higher expenditure in employees cost, Repair and Maintenance cost and A&G, expenditure which is double then the previous year approved expenditure.

TPNODL Reply: Licensee has prepared the ARR as per the provision of OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022, therefore all the projection have been estimated in the ARR as per the norms and terms of the said regulation.

Further, all the audited financial reports of licensee are also furnished to Hon'ble Commission periodically for its prudent check.

3. **Respondent's view/objection:** Power supply hours to rural consumers half than the urban area.

TPNODL's reply: Licensee have taken several imitative to reduce the outages under its capital investment plan (Such as Project Unnati, Clean up, PTR Bachawo, Tapmaan etc.). The reducing in tripping trends of 11 kV and 33 kV lines (For FY 2021-22 Vs FY 2022-23) are depicted in the following graphs.



The above graphs clearly shows the reducing trend in tripping for both 11 kV and 33 kV voltage levels.

Further, electricity tariff for different category of consumers are uniform across the State irrespective of the differential BSP rate applicable to all the four Discoms of Odisha.

4. **Respondent's view/objection:** DPS on the Domestic & Commercial consumers @ 1.25%. The Licensee misinterpreting/misusing the provision of the regulation extracting money from consumers.

TPNODL Reply: DPS collection is done by licensee as per the provision under Distribution (Condition of Supply) Code, 2019 regulation and directive of tariff orders. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution

5. **Respondent's view/objection:** Present rate of interest on fixed deposits around 6% but interest on Security deposit is not ensure at par.

TPNODL Reply: The interest on security deposit is allowed by Hon'ble Commission under the provision of OERC Distribution (Condition of Supply) code, 2019 regulation. The prevailing bank rate during March, 2022 as notified by RBI is 4.25% per annum as ascertained from RBI website. The Commission accordingly allows the interest at the rate of 4.25% on the closing balance on consumer security deposit. The licensee shall allow the interest on security deposit at the rate announced by the Hon'ble Commission.

6. **Respondent's view/objection:** Bills of consumers are not served in the time and generated on provisional but same time rebate are not passed on to the consumer because of late serving.

TPNODL Reply: During initial operation phase of the licensee, issue in timely raising some of the consumer's bills was observed. However, at present scenario consumer can send the photograph of meter reading and meter no. over dedicated what's app no. (7777004759) and consumer can get his electricity bill in his what's app. Further, licensee is proving the rebate to applicable consumers as per the provision of Tariff Orders.

Further, Consumer always have the option to connect with Customer Service Center, Anubhava Kedra at Sub-division level, and through what's app no. for resolution of metering, billing, collection or any other issues.

7. **Respondent's view/objection:** DISCOM are disconnecting the power supply without proper notice and they are not ensuring/confirming with reason at the time of disconnection.

TPNODL Reply: Disconnection of power supply is done as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation. However, objector is requested to bring the individual cases to the notice of the licensee for further clarification.

8. **Respondent's view/objection:** Discom shall give the detail financial benefits derived from the Capex Plan on account of loss reduction and its impact on tariff.

TPNODL Reply: The detailed capex plan along with Detailed Project Report are furnished before the Hon'ble Commission each year as per provision of Vesting Order

of licensee. Accordingly, Hon'ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

- 9. Respondent's view/objection:** Interest on security deposit may be increased as 4.25% is too low and company is enjoying 6 % interest on security deposit.

TPNODL Reply: The interest on security deposit is allowed by Hon'ble commission as per the provision of OERC Distribution (Condition of Supply) code, 2019 regulation. The prevailing bank rate during March, 2022 as notified by RBI is 4.25% per annum as ascertained from RBI website. The Commission accordingly allows the interest at the rate of 4.25% on the closing balance on consumer security deposit.

- 10. Respondent's view/objection:** Unlike domestic and commercial consumers other consumers may be provided with suitable digital rebate.

TPNODL's reply: In previous year (FY 2022-23) ARR filing licensee had proposed digital payment rebate for LT Domestic, LT GP single phase & Single phase irrigation consumer from 2% to 3%. In current year ARR filing licensee has proposed additional digital payment rebate of 1 % (from existing 3% to increment of 4%) for LT Domestic, LT GP single phase & Single phase irrigation consumer for promoting digital payment.

- 11. Respondent's view/objection:** The cost of meter shall be borne by the supplier not by the consumer.

TPNODL's reply: The recovery of meter rent is done by the licensee as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation.

- 12. Respondent's view –** The electricity bills shall be both in Odia and English Language

TPNODL's reply: The Licensee has already taken the necessary steps to provide the monthly electricity bill both in Odia and English language as per direction of Hon'ble Commission.

- 13. Respondent's view –** The temporary estimate are prepared not in a prescribed format and still consumer are supplied at the service materials and licensee are charging 22% supervision charges.

TPNODL's reply: The supervision charge is claimed from the consumers as per the provision of the OERC Distribution (Condition of Supply) Code, 2019 Regulation and rate prescribed by the Govt. of Odisha. All the division under licensee is following the standard format for estimation. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

- 14. Respondent's view –** The single phase bills are not reflecting the MD

TPNODL's reply: Wherever the Static Meters are installed in the consumer premises, our Mobile Application used for billing, records the MD and reflects it in billing.

15. Respondent's view – Licensee are in practice not to acknowledge the copy of agreement, copy of test report to single phase consumer.

TPNODL Reply: The Licensee always observes the condition of Supply Code.

16. Respondent's view – Consumer are providing power supply even though they are not the land owner (road side stalls/ encroached lands etc).

TPNODL Reply: Licensee provides the power supply connection to any consumer under the provision of OERC Distribution (Condition of Supply) Code, 2019 and other relevant Regulation made by Hon'ble commission. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

17. Respondent's view – Option for offline application for power supply in rural area.

TPNODL Reply: At present every sub-division have the facility of Anubhava Kendra where consumer can easily approach and apply for new electricity connection. This facility is also being extended to Section level for providing better service to our valued consumers.

18. Respondent's view – Consumer are not endorsed a copy of installation test report.

TPNODL Reply: The licensee is bound to follow the OERC Distribution (Condition of Supply) Code, 2019 and other relevant Rogations made by Hon'ble commission regarding providing power supply to new consumers. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution.

19. Respondent's view –Difficult on part of consumer to recognize the officer/engineer/ministerial staff/franchiser/ outsource employee whoever they are from which company

TPNODL Reply: All employees of TPNODL having proper official dress code along with company ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of assigned filed works.

20. Respondent's view – All the designated officer shall have the official phone no. and official email id.

TPNODL Reply: All the TPNODL employees have been provided with official email id for official correspondence.

21. Respondent's view – Approaching the consumer without dress code and authorization Letter from the competent section office/sub-division.

TPNODL Reply: All the TPNODL executives and staff have been provided with proper dress code and valid ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of any field job assigned to them.

22. Respondent's view – Increase in meter rent of smart meter.

TPNODL Reply: Licensee has already submitted the proposal regarding meter rent for Smart Meter in the ARR FY 2023-24.

23. Respondent's view – Billing with Defective meter.

TPNODL Reply: Billing with defective meters is carried out by licensee as per the provision under OERC Distribution (Condition of Supply) Code, 2019. However, objector is requested to bring the individual cases to the notice of the licensee for its remedial action.

24. Respondent's view/objection: The Hon'ble Commission shall conduct prudent check how many service connection provided in time which are applied through online.

TPNODL Reply: Licensee always furnishes the new connection related data to Hon'ble Commission as per GSOP standard and also performs the periodic GSOP audit through OERC empanelled auditors.

25. Respondent's view/objection: No licensee follows of sec 126 as per procedure. The schedule formats are differs from division to division in one circle.

TPNODL's reply: The objector is requested to bring the individual cases to the notice of the licensee for implementation of GRF/Ombudsman order. The schedule formats which are being used are uniform across the TPNODL and per specified in the relevant OERC Regulations.

26. Respondent's view/objection: Provision of 1912 customer care phone number and employees and worker attendance mechanism.

TPNODL's reply: Apart from 1912 customer service, licensee is also facilitating with Anubhav Kendra at sub-division level, what's app no. (7777004759) for speedy resolution of consumer complaints. Licensee is in the process of installing Biometric attendance system for its employees in all offices.

27. Respondent's view/objection –No dress code for employee/workers deployed for revenue collection, No knowledge about tariff regulation.

TPNODL's reply: Currently, offline revenue collection is being done by designated BA employee and all are equipped with valid ID Card. If any consumer is seeking for clarification related to metering, billing, collection etc. he/she may connect with our customer service centre, what's app, Anubhav Kendra.

28. Respondent's view/objection – Whether existing service connection wire/cable is to be replaced by the consumer or supply company?

TPNODL's reply: Treatment of existing service connection wire/cable is being done as per OERC Distribution (Condition of Supply) Code, 2019 regulation.

29. Respondent's view – Whether the consumer has to pay any charge to replace the seals as per regulation.

TPNODL's reply: There is no any charge required to pay by consumer to replace the meter seal.

30. Respondent's view – Telephone wires are hanging on LT and HT Network.

TPNODL's reply: Licensee has taken up the various initiative to improve the LT and HT Networks under various Capex and Opex Plan (Such as Project Swaach, Clean up, Raksha, Unnati etc.) for improvement in network condition and public safety.

31. Respondent's view – The number of consumer refunded/ adjusted the excess Security deposit amount from date of vesting orders as per Regulation 53 and 54 of the supply Code.

TPNODL Reply: In each FY assessment is carried out by the licensee.

32. Respondent's view/objection: How much rent is generating for drawing the telephone lines, cable lines allowed to draw on their LT/HT network of licensee? Are they ensuring the safety clearance from the competent authority?

TPNODL Reply: Every safety standard are followed by the licensee while drawing the telephone line, cables on the LT/HT Networks.

33. Respondent's view/objection: The copies of periodical safety inspection certificates of 33/11 kV, S/S Feeders, 11/0.40 kV S/S and Feeders and LT Feeders issued by competent authority may kindly be display in the website of the licensee.

TPNODL Reply: Licensee has taken several initiatives for enhancing safety of employee, materials, public, animal and environment through its capital investment plan. All the safety compliance reports are being furnished to the Hon'ble Commission

and other competent authorities as per required format mentioned in the prevailing regulations.

34. Respondent's view/objection: The cost of preparation and serving per bill of single phase Consumer and three phase consumer?

TPNODL Reply: The voltage wise cost of supply is available in F-5 Format (Excel Sheet) which is submitted along with the ARR, same may please be referred.

35. Respondent's view/objection: The supervisor's competency certificate number and validity date of the engineers who holds the present distribution circle/ Division/ Sub-division/Sections of the licensee for (Operation and Maintenance) may kindly be display in the website employee code number.

TPNODL Reply: All mandatory requirements and which are relevant as per the Rules/Regulations are available in the website of the licensee (TPNODL).

36. Respondent's view/objection: The job/ duty chart of each designation of employees/officer/engineers/worker shall display in the website.

TPNODL Reply: Individual job responsibility of each designated employees/officers/engineers/workers are defined by competent authority of licensee.

37. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

38. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Ananta Narayan Mahanty, S/O-Biswanath Mahanty, At/PO-Namakoyi, PS-K Nuagum, Dist-Ganjam-761042.

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

18

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Bibekananda Mohanty, Advocate, S/o Late Harekrushna Mohanty, Civil Society, Jajpur Road, Jajpur-755019

.....Objector

Rejoinder to the objection filed by Sri Bibekananda Mohanty, Advocate against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

- 1. Respondent's view/objection:** No licensee is come up with notification of designated officer for different service after Vesting Order.

TPNODL Reply: The licensee always follows the compliance of Vesting Order, therefore all the compliance reports are being furnished to Hon'ble Commission as per timeline mentioned in the Order.

- 2. Respondent's view/objection:** No licensee fallows of sec 126 as per procedure. The schedule formats are differs from division to division in one circle.

TPNODL's reply: The objector is requested to bring the individual cases to the notice of the licensee for implementation of GRF/Ombudsman order. The schedule formats which are being used are uniform across the TPNODL and per specified in the relevant OERC Regulations.

- 3. Respondent's view/objection:** Provision of 1912 customer care phone number and employees and worker attendance mechanism.

TPNODL's reply: Apart from 1912 customer service, licensee is also facilitating with Anubhav Kendra at sub-division level, what's app no. (7777004759) for speedy resolution of consumer complaints. Licensee is in the process of installing Biometric attendance system for its employees in all offices.

4. **Respondent's view/objection** –No dress code for employee/workers deployed for revenue collection, No knowledge about tariff regulation.
5. **Respondent's view/objection** –No dress code for employee/workers deployed for revenue collection, No knowledge about tariff regulation.

TPNODL's reply: Currently, offline revenue collection is being done by designated BA employee and all are equipped with valid ID Card. If any consumer is seeking for clarification related to metering, billing, collection etc. he/she may connect with our customer service centre, what's app, Anubhav Kendra.

6. **Respondent's view/objection** – Whether existing service connection wire/cable is to be replaced by the consumer or supply company?

TPNODL's reply: Treatment of existing service connection wire/cable is being done as per OERC Distribution (Condition of Supply) Code, 2019 regulation.

7. **Respondent's view** –Whether the consumer has to pay any charge to replace the seals as per regulation.

TPNODL's reply: There is no any charge required to pay by consumer to replace the meter seal.

8. **Respondent's view** – Telephone wires are hanging on LT and HT Network.

TPNODL's reply: Licensee has taken up the various initiative to improve the LT and HT Networks under various Capex and Opex Plan (Such as Project Swaach, Clean up, Raksha, Unnati etc.) for improvement in network condition and public safety.

9. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

10. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Bibekananda Mohanty, Advocate, S/o Late Harekrushna Mohanty, Civil Society,
Jajpur Road, Jajpur-755019, Mob. No.: 9338710270

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

19

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Asitananda Biswal, S/O- Lt. Gobinda Ch. Biswal, At/PO-Chorda,
PS-Jajpur Road, Dist-Jajpur-755019

.....Objector

Rejoinder to the objection filed by Sri Asitananda Biswal against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

- 1. Respondent's view/objection:** Unlike domestic and commercial consumers other consumers may be provided with suitable digital rebate.

TPNODL's reply: In previous year (FY 2022-23) ARR filing licensee had proposed digital payment rebate for LT Domestic, LT GP single phase & Single phase irrigation consumer from 2% to 3%. In current year ARR filing licensee has proposed additional digital payment rebate of 1 % (from existing 3% to increment of 4%) for LT Domestic, LT GP single phase & Single phase irrigation consumer for promoting digital payment.

- 2. Respondent's view/objection – Smart Meter Capital Cost shall borne by the supplier but not by the consumers:**

TPNODL's reply: Licensee has already submitted the proposal regarding recovery of meter rent for Smart Meter in the ARR FY 2023-24.

- 3. Respondent's view –The tariff is very complex and it is unable to understand for common man. The slab of tariff shall be 0-50, 50-100, 100 to 200, 200 to 300, and 300 and above**

TPNODL's reply: The tariff slabs are classified by the licensee as per the OERC Distribution (Condition of Supply) Code, 2029 Regulation and directives in tariff orders. However, if any consumer wish to clarify own electricity bill, he/her can approach to our customer care center or section/division office.

4. **Respondent's view** – The electricity bills shall be both in Odia and English Language

TPNODL's reply: The Licensee has already taken the necessary steps to provide the monthly electricity bill both in Odia and English language as per direction of Hon'ble Commission.

5. **Respondent's view** – The single phase bills are not reflecting the MD

TPNODL's reply: Wherever the Static Meters are installed in the consumer premises, our Mobile Application used for billing, records the MD and reflects it in billing.

6. **Respondent's view** – Licensee are in practice not to acknowledge the copy of agreement, copy of test report to single phase consumer.

TPNODL Reply: The Licensee always observes the condition of Supply Code.

7. **Respondent's view** – Consumer are providing power supply even though they are not the land owner (road side stalls/ encroached lands etc).

TPNODL Reply: Licensee provides the power supply connection to any consumer under the provision of OERC Distribution (Condition of Supply) Code, 2019 and other relevant Regulation made by Hon'ble commission. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

8. **Respondent's view** – Option for offline application for power supply in rural area.

TPNODL Reply: At present every sub-division have the facility of Anubhava Kendra where consumer can easily approach and apply for new electricity connection. This facility is also being extended to Section level for providing better service to our valued consumers.

9. **Respondent's view** – Consumer are not endorsed a copy of installation test report.

TPNODL Reply: The licensee is bound to follow the OERC Distribution (Condition of Supply) Code, 2019 and other relevant Rogations made by Hon'ble commission regarding providing power supply to new consumers. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution.

10. **Respondent's view** –Difficult on part of consumer to recognize the officer/engineer/ministerial staff/franchiser/ outsource employee whoever they are from which company

TPNODL Reply: All employees of TPNODL having proper official dress code along with company ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of assigned filed works.

11. Respondent's view – All the designated officer shall have the official phone no. and official email id.

TPNODL Reply: All the TPNODL employees have been provided with official email id for official correspondence.

12. Respondent's view – Approaching the consumer without dress code and authorization Letter from the competent section office/sub-division.

TPNODL Reply: All the TPNODL executives and staff have been provided with proper dress code and valid ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of any field job assigned to them.

13. Respondent's view – Increase in meter rent of smart meter.

TPNODL Reply: Licensee has already submitted the proposal regarding meter rent for Smart Meter in the ARR FY 2023-24.

14. Respondent's view – Billing with Defective meter.

TPNODL Reply: Billing with defective meters is carried out by licensee as per the provision under OERC Distribution (Condition of Supply) Code, 2019. However, objector is requested to bring the individual cases to the notice of the licensee for its remedial action.

15. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

16. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Asitananda Biswal, S/O- Lt. Gobinda Ch. Biswal, At/PO-Chorda, PS-Jajpur Road,
Dist-Jajpur-755019

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Prabhakar Dora, S/O-Bhaskar Rao Dora, 3rd Lane, Vidya Nagar, P/O/Dist-Rayagada-755001.

.....Objector

Rejoinder to the objection filed by Sri Prabhakar Dora against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

1. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile
2. NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order dated 25.3.2021 in Case No-9/2021 of Hon'ble Commission. The present application has been filed as per the provisions of OERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022.
Reply to the points raised by the Ld. Objector are furnished hereunder

3. **Respondent's view/objection:** The higher the consumption in Domestic and LTGP classifications, the higher the rate. Lesser rate for more consumption principle should be adopted.

TPNODL Reply:

It is to bring out that, Hon'ble Commission is guided by the principles of National Tariff Policy for setting tariffs for different category of consumers. Relevant extract from section 8.3 of the National Tariff Policy, reproduced hereunder:

“ 1. Consumers below poverty line who consume below a specified level, as prescribed in the National Electricity Policy may receive a special support through

cross subsidy. Tariffs for such designated group of consumers will be at least 50% of the average cost of supply.

2. For achieving the objective that the tariff progressively reflects the cost of supply of electricity, the Appropriate Commission would notify a roadmap such that tariffs are brought within $\pm 20\%$ of the average cost of supply... ”

To support the economically weaker category of consumers, cross subsidization is being followed. The consumers with lower consumption like less than 30 units are considered below poverty line. Similarly, to support the consumers falling under lower consumption slabs, like less than 50 units, 50 to 200 units, lesser rates have been fixed which is gradually increased .

The existing pattern of tariff applicable for domestic and LT GP is to support the lower consumption group /weaker section of the society and ensure power for all.

4. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Prabhakar Dora, S/O-Bhaskar Rao Dora, 3rd Lane, Vidya Nagar, P/O/Dist-Rayagada-755001. E-mail-doraprabhakar1965@gmail.com, Mob : 9437103756

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

21

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Rajendra Samal, S/o-Nilamani Samal, Natapada, Jajpur Road,
Jajpur-755019.

.....Objector

Rejoinder to the objection filed by Sri Rajendra Samal, President against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

- 1. Respondent's view/objection:** Petition filed by the petitioner is hard and exhort on consumers and void the legal sanctions.

TPNODL Reply: It is submitted that ARR and Retail Supply Tariff for the FY 2023-24 has been filed by the Licensee before the Hon'ble Commission under Section 62 and other applicable provisions of the Electricity Act, 2003 and in conformity with the provisions of OERC (Terms and Conditions for determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2022 and OERC (Conduct of Business) Regulation 2004. DISCOMs being regulated entities are bound to follow the legal provision and regulations of the Electricity Regulatory Commissions in true letter and spirit.

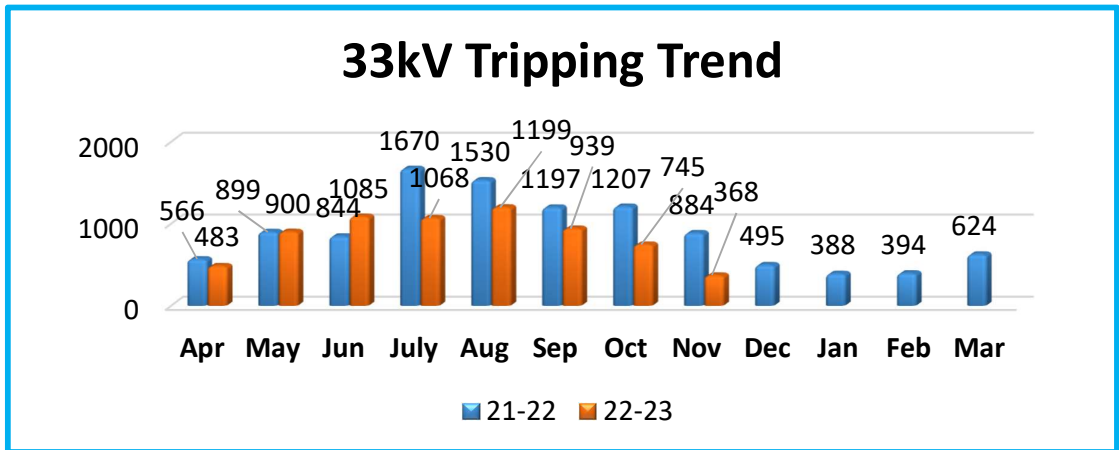
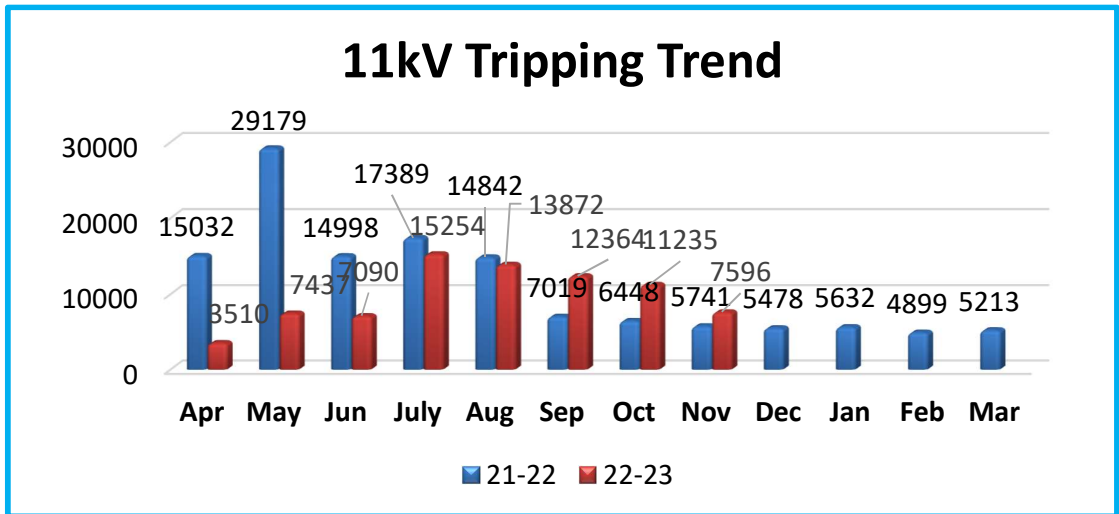
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For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Rajendra Samal, S/o-Nilamani Samal, Natapada, Jajpur Road, Jajpur-755019.

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

22

Case No. 83/2022

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.....Applicant

AND

IN THE MATTER OF: Sri Subrat Kumar Behera (Advocate), At/PO-Ranipanta, Dist-
Balasore (Odisha)-756001

.....Objector

**Rejoinder to the objection filed by Sri Subrat Kumar Behera (Advocate) against the
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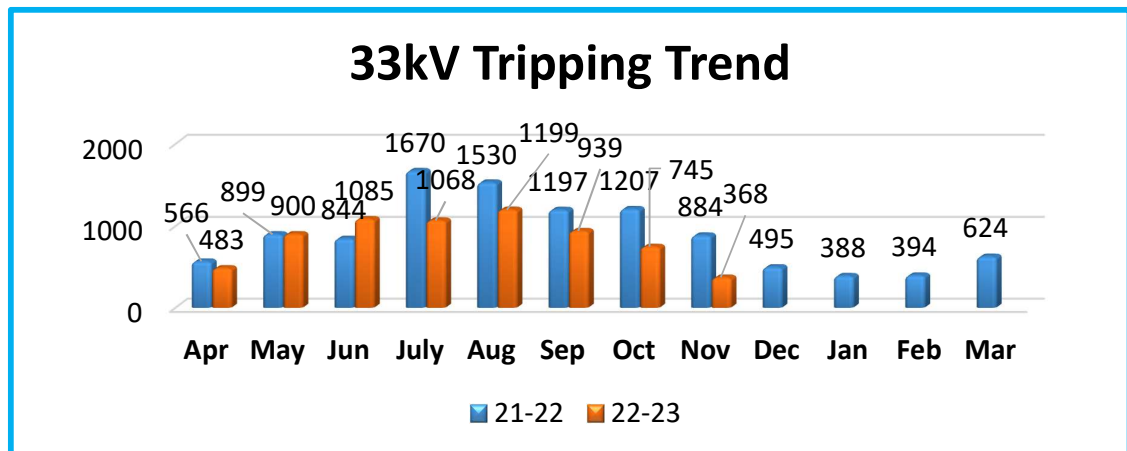
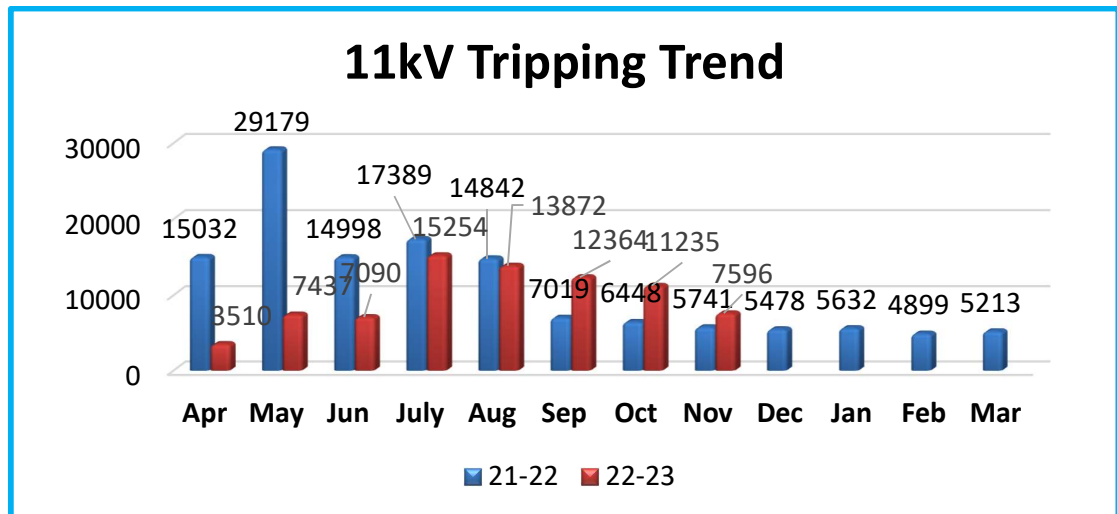
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TPNODL Reply: At present every sub-division have the facility of Anubhava Kendra where consumer can easily approach and apply for new electricity connection. This facility is also being extended to Section level for providing better service to our valued consumers.

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TPNODL Reply: Licensee has already submitted the proposal regarding meter rent for Smart Meter in the ARR FY 2023-24.

24. Respondent's view – Billing with Defective meter.

TPNODL Reply: Billing with defective meters is carried out by licensee as per the provision under OERC Distribution (Condition of Supply) Code, 2019. However, objector is requested to bring the individual cases to the notice of the licensee for its remedial action.

25. Respondent's view/objection: The Hon'ble Commission shall conduct prudent check how many service connection provided in time which are applied through online.

TPNODL Reply: Licensee always furnishes the new connection related data to Hon'ble Commission as per GSOP standard and also performs the periodic GSOP audit through OERC empanelled auditors.

26. Respondent's view/objection: No licensee follows of sec 126 as per procedure. The schedule formats are differs from division to division in one circle.

TPNODL's reply: The objector is requested to bring the individual cases to the notice of the licensee for implementation of GRF/Ombudsman order. The schedule formats which are being used are uniform across the TPNODL and per specified in the relevant OERC Regulations.

27. Respondent's view/objection: Provision of 1912 customer care phone number and employees and worker attendance mechanism.

TPNODL's reply: Apart from 1912 customer service, licensee is also facilitating with Anubhav Kendra at sub-division level, what's app no. (7777004759) for speedy resolution of consumer complaints. Licensee is in the process of installing Biometric attendance system for its employees in all offices.

28. Respondent's view/objection –No dress code for employee/workers deployed for revenue collection, No knowledge about tariff regulation.

TPNODL's reply: Currently, offline revenue collection is being done by designated BA employee and all are equipped with valid ID Card. If any consumer is seeking for clarification related to metering, billing, collection etc. he/she may connect with our customer service centre, what's app, Anubhav Kendra.

29. Respondent's view/objection – Whether existing service connection wire/cable is to be replaced by the consumer or supply company?

TPNODL's reply: Treatment of existing service connection wire/cable is being done as per OERC Distribution (Condition of Supply) Code, 2019 regulation.

30. Respondent's view –Whether the consumer has to pay any charge to replace the seals as per regulation.

TPNODL's reply: There is no any charge required to pay by consumer to replace the meter seal.

31. Respondent's view – Telephone wires are hanging on LT and HT Network.

TPNODL's reply: Licensee has taken up the various initiative to improve the LT and HT Networks under various Capex and Opex Plan (Such as Project Swaach, Clean up, Raksha, Unnati etc.) for improvement in network condition and public safety.

32. Respondent's view – The number of consumer refunded/ adjusted the excess Security deposit amount from date of vesting orders as per Regulation 53 and 54 of the supply Code.

TPNODL Reply: In each FY assessment is carried out by the licensee.

33. Respondent's view/objection: How much rent is generating for drawing the telephone lines, cable lines allowed to draw on their LT/HT network of licensee? Are they ensuring the safety clearance from the competent authority?

TPNODL Reply: Every safety standard are followed by the licensee while drawing the telephone line, cables on the LT/HT Networks.

34. Respondent's view/objection: The copies of periodical safety inspection certificates of 33/11 kV, S/S Feeders, 11/0.40 kV S/S and Feeders and LT Feeders issued by competent authority may kindly be display in the website of the licensee.

TPNODL Reply: Licensee has taken several initiatives for enhancing safety of employee, materials, public, animal and environment through its capital investment plan. All the safety compliance reports are being furnished to the Hon'ble Commission

and other competent authorities as per required format mentioned in the prevailing regulations.

35. Respondent's view/objection: The cost of preparation and serving per bill of single phase Consumer and three phase consumer?

TPNODL Reply: The voltage wise cost of supply is available in F-5 Format (Excel Sheet) which is submitted along with the ARR, same may please be referred.

36. Respondent's view/objection: The supervisor's competency certificate number and validity date of the engineers who holds the present distribution circle/ Division/ Sub-division/Sections of the licensee for (Operation and Maintenance) may kindly be display in the website employee code number.

TPNODL Reply: All mandatory requirements and which are relevant as per the Rules/Regulations are available in the website of the licensee (TPNODL).

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TPNODL Reply: Individual job responsibility of each designated employees/officers/ engineers/workers are defined by competent authority of licensee.

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C.C. to: Sri Subrat Kumar Behera (Advocate), At/PO-Ranipanta, Dist-Balasore (Odisha)-
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23

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.....Applicant

AND

IN THE MATTER OF: Sri Manoranjan Routray, S/O- Sri Khetra Mohan Routray, Trinath Temple Street, PS-/PO/Dist-Koraput.

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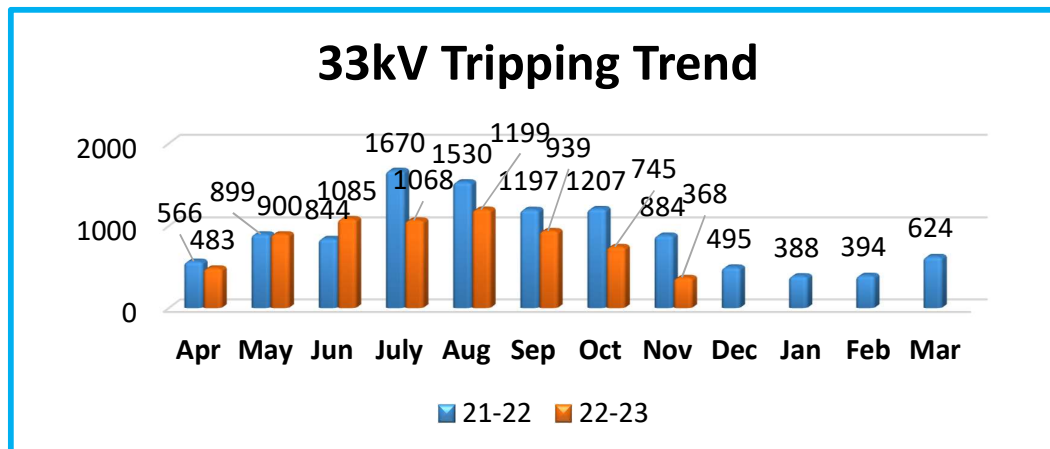
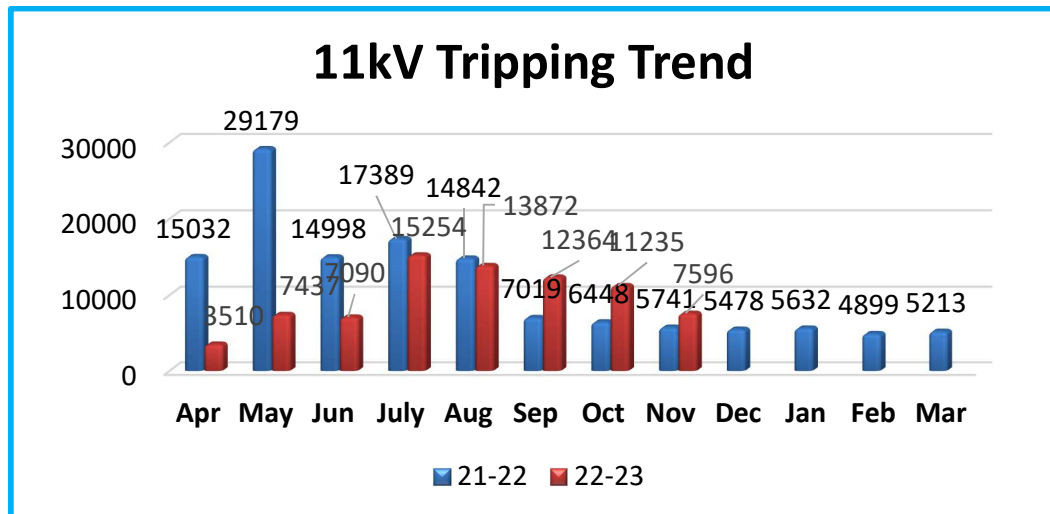
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TPNODL Reply: Billing with defective meters is carried out by licensee as per the provision under OERC Distribution (Condition of Supply) Code, 2019. However, objector is requested to bring the individual cases to the notice of the licensee for its remedial action.

24. Respondent's view/objection: The Hon'ble Commission shall conduct prudent check how many service connection provided in time which are applied through online.

TPNODL Reply: Licensee always furnishes the new connection related data to Hon'ble Commission as per GSOP standard and also performs the periodic GSOP audit through OERC empanelled auditors.

25. Respondent's view/objection: No licensee follows of sec 126 as per procedure. The schedule formats are differs from division to division in one circle.

TPNODL's reply: The objector is requested to bring the individual cases to the notice of the licensee for implementation of GRF/Ombudsman order. The schedule formats which are being used are uniform across the TPNODL and per specified in the relevant OERC Regulations.

26. Respondent's view/objection: Provision of 1912 customer care phone number and employees and worker attendance mechanism.

TPNODL's reply: Apart from 1912 customer service, licensee is also facilitating with Anubhav Kendra at sub-division level, what's app no. (7777004759) for speedy resolution of consumer complaints. Licensee is in the process of installing Biometric attendance system for its employees in all offices.

27. Respondent's view/objection –No dress code for employee/workers deployed for revenue collection, No knowledge about tariff regulation.

TPNODL's reply: Currently, offline revenue collection is being done by designated BA employee and all are equipped with valid ID Card. If any consumer is seeking for clarification related to metering, billing, collection etc. he/she may connect with our customer service centre, what's app, Anubhav Kendra.

28. Respondent's view/objection – Whether existing service connection wire/cable is to be replaced by the consumer or supply company?

TPNODL's reply: Treatment of existing service connection wire/cable is being done as per OERC Distribution (Condition of Supply) Code, 2019 regulation.

29. Respondent's view – Whether the consumer has to pay any charge to replace the seals as per regulation.

TPNODL's reply: There is no any charge required to pay by consumer to replace the meter seal.

30. Respondent's view – Telephone wires are hanging on LT and HT Network.

TPNODL's reply: Licensee has taken up the various initiative to improve the LT and HT Networks under various Capex and Opex Plan (Such as Project Swaach, Clean up, Raksha, Unnati etc.) for improvement in network condition and public safety.

31. Respondent's view – The number of consumer refunded/ adjusted the excess Security deposit amount from date of vesting orders as per Regulation 53 and 54 of the supply Code.

TPNODL Reply: In each FY assessment is carried out by the licensee.

32. Respondent's view/objection: How much rent is generating for drawing the telephone lines, cable lines allowed to draw on their LT/HT network of licensee? Are they ensuring the safety clearance from the competent authority?

TPNODL Reply: Every safety standard are followed by the licensee while drawing the telephone line, cables on the LT/HT Networks.

33. Respondent's view/objection: The copies of periodical safety inspection certificates of 33/11 kV, S/S Feeders, 11/0.40 kV S/S and Feeders and LT Feeders issued by competent authority may kindly be display in the website of the licensee.

TPNODL Reply: Licensee has taken several initiatives for enhancing safety of employee, materials, public, animal and environment through its capital investment plan. All the safety compliance reports are being furnished to the Hon'ble Commission

and other competent authorities as per required format mentioned in the prevailing regulations.

34. Respondent's view/objection: The cost of preparation and serving per bill of single phase Consumer and three phase consumer?

TPNODL Reply: The voltage wise cost of supply is available in F-5 Format (Excel Sheet) which is submitted along with the ARR, same may please be referred.

35. Respondent's view/objection: The supervisor's competency certificate number and validity date of the engineers who holds the present distribution circle/ Division/ Sub-division/Sections of the licensee for (Operation and Maintenance) may kindly be display in the website employee code number.

TPNODL Reply: All mandatory requirements and which are relevant as per the Rules/Regulations are available in the website of the licensee (TPNODL).

36. Respondent's view/objection: The job/ duty chart of each designation of employees/ officer/engineers/worker shall display in the website.

TPNODL Reply: Individual job responsibility of each designated employees/officers/engineers/workers are defined by competent authority of licensee.

37. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

38. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Manoranjan Routray, S/O- Sri Khetra Mohan Routray, Trinath Temple Street,
PS-/PO/Dist-Koraput

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

24

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj, Odisha.

.....Applicant

AND

IN THE MATTER OF: Sri Jayanta Kumar Jena, S/O-Late Baikuntha Bihari Jena, Plot No-40, Bapuji Nagar, PO- Ashok Nagar, Bhubaneswar-9.

.....Objector

Rejoinder to the objection filed by Sri Jayanta Kumar Jena against the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the FY 2023-24

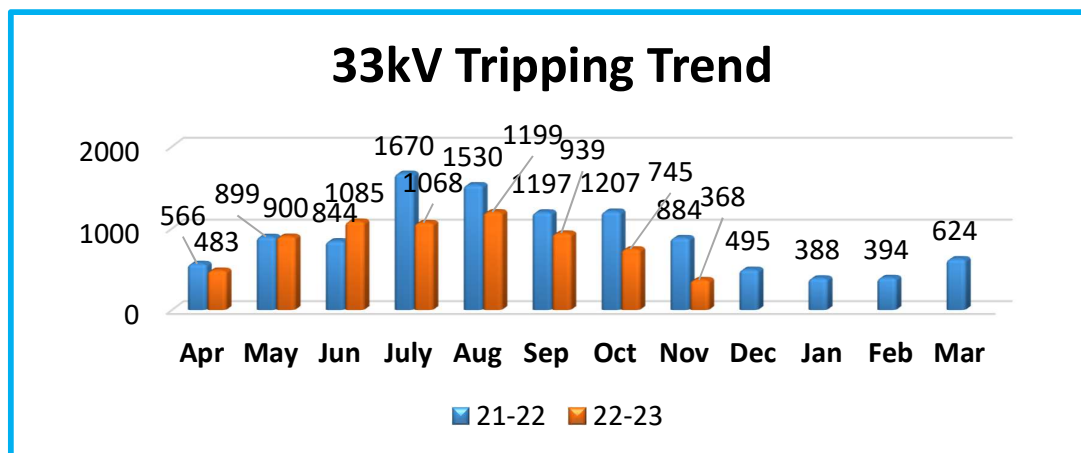
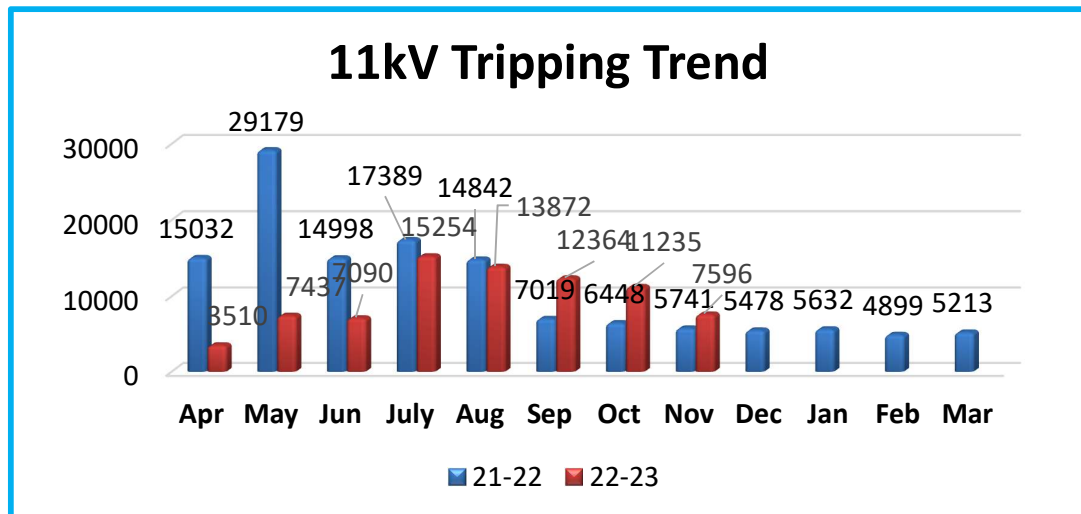
- 1. Respondent's view/objection:** The present proposed ARR of all the Licensee appears higher expenditure in employees cost, Repair and Maintenance cost and A&G, expenditure which is double then the previous year approved expenditure.

TPNODL Reply: Licensee has prepared the ARR as per the provision of OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022, therefore all the projection have been estimated in the ARR as per the norms and terms of the said regulation.

Further, all the audited financial reports of licensee are also furnished to Hon'ble Commission periodically for its prudent check.

- 2. Respondent's view/objection:** Power supply hours to rural consumers half than the urban area.

TPNODL's reply: Licensee have taken several imitative to reduce the outages under its capital investment plan (Such as Project Unnati, Clean up, PTR Bachawo, Tapmaan etc.). The reducing in tripping trends of 11 kV and 33 kV lines (For FY 2021-22 Vs FY 2022-23) are depicted in the following graphs.



The above graphs clearly shows the reducing trend in tripping for both 11 kV and 33 kV voltage levels.

Further, electricity tariff for different category of consumers are uniform across the State irrespective of the differential BSP rate applicable to all the four Discoms of Odisha.

- Respondent's view/objection:** DPS on the Domestic & Commercial consumers @ 1.25%. The Licensee misinterpreting/misusing the provision of the regulation extracting money from consumers.

TPNODL Reply: DPS collection is done by licensee as per the provision under Distribution (Condition of Supply) Code, 2019 regulation and directive of tariff orders. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution

- Respondent's view/objection:** Present rate of interest on fixed deposits around 6% but interest on Security deposit is not ensure at par.

TPNODL Reply: The interest on security deposit is allowed by Hon'ble Commission under the provision of OERC Distribution (Condition of Supply) code, 2019 regulation. The prevailing bank rate during March, 2022 as notified by RBI is 4.25% per annum as ascertained from RBI website. The Commission accordingly allows the interest at the rate of 4.25% on the closing balance on consumer security deposit. The licensee shall allow the interest on security deposit at the rate announced by the Hon'ble Commission.

5. **Respondent's view/objection:** Bills of consumers are not served in the time and generated on provisional but same time rebate are not passed on to the consumer because of late serving.

TPNODL Reply: During initial operation phase of the licensee, issue in timely raising some of the consumer's bills was observed. However, at present scenario consumer can send the photograph of meter reading and meter no. over dedicated what's app no. (7777004759) and consumer can get his electricity bill in his what's app. Further, licensee is proving the rebate to applicable consumers as per the provision of Tariff Orders.

Further, Consumer always have the option to connect with Customer Service Center, Anubhava Kedra at Sub-division level, and through what's app no. for resolution of metering, billing, collection or any other issues.

6. **Respondent's view/objection:** DISCOM are disconnecting the power supply without proper notice and they are not ensuring/confirming with reason at the time of disconnection.

TPNODL Reply: Disconnection of power supply is done as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation. However, objector is requested to bring the individual cases to the notice of the licensee for further clarification.

7. **Respondent's view/objection:** Discom shall give the detail financial benefits derived from the Capex Plan on account of loss reduction and its impact on tariff.

TPNODL Reply: The detailed capex plan along with Detailed Project Report are furnished before the Hon'ble Commission each year as per provision of Vesting Order of licensee. Accordingly, Hon'ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

8. **Respondent's view/objection:** Interest on security deposit may be increased as 4.25% is too low and company is enjoying 6 % interest on security deposit.

TPNODL Reply: The interest on security deposit is allowed by Hon'ble commission as per the provision of OERC Distribution (Condition of Supply) code, 2019 regulation.

The prevailing bank rate during March, 2022 as notified by RBI is 4.25% per annum as ascertained from RBI website. The Commission accordingly allows the interest at the rate of 4.25% on the closing balance on consumer security deposit.

- 9. Respondent's view/objection:** Unlike domestic and commercial consumers other consumers may be provided with suitable digital rebate.

TPNODL's reply: In previous year (FY 2022-23) ARR filing licensee had proposed digital payment rebate for LT Domestic, LT GP single phase & Single phase irrigation consumer from 2% to 3%. In current year ARR filing licensee has proposed additional digital payment rebate of 1 % (from existing 3% to increment of 4%) for LT Domestic, LT GP single phase & Single phase irrigation consumer for promoting digital payment.

- 10. Respondent's view/objection:** The cost of meter shall be borne by the supplier not by the consumer.

TPNODL's reply: The recovery of meter rent is done by the licensee as per the provision of OERC Distribution (Condition of Supply) Code, 2019 regulation.

- 11. Respondent's view –** The electricity bills shall be both in Odia and English Language

TPNODL's reply: The Licensee has already taken the necessary steps to provide the monthly electricity bill both in Odia and English language as per direction of Hon'ble Commission.

- 12. Respondent's view –** The temporary estimate are prepared not in a prescribed format and still consumer are supplied at the service materials and licensee are charging 22% supervision charges.

TPNODL's reply: The supervision charge is claimed from the consumers as per the provision of the OERC Distribution (Condition of Supply) Code, 2019 Regulation and rate prescribed by the Govt. of Odisha. All the division under licensee is following the standard format for estimation. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

- 13. Respondent's view –** The single phase bills are not reflecting the MD

TPNODL's reply: Wherever the Static Meters are installed in the consumer premises, our Mobile Application used for billing, records the MD and reflects it in billing.

- 14. Respondent's view –** Licensee are in practice not to acknowledge the copy of agreement, copy of test report to single phase consumer.

TPNODL Reply: The Licensee always observes the condition of Supply Code.

15. Respondent's view – Consumer are providing power supply even though they are not the land owner (road side stalls/ encroached lands etc).

TPNODL Reply: Licensee provides the power supply connection to any consumer under the provision of OERC Distribution (Condition of Supply) Code, 2019 and other relevant Regulation made by Hon'ble commission. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution, if any.

16. Respondent's view – Option for offline application for power supply in rural area.

TPNODL Reply: At present every sub-division have the facility of Anubhava Kendra where consumer can easily approach and apply for new electricity connection. This facility is also being extended to Section level for providing better service to our valued consumers.

17. Respondent's view – Consumer are not endorsed a copy of installation test report.

TPNODL Reply: The licensee is bound to follow the OERC Distribution (Condition of Supply) Code, 2019 and other relevant Rogations made by Hon'ble commission regarding providing power supply to new consumers. However, objector is requested to bring the individual cases to the notice of the licensee for its resolution.

18. Respondent's view –Difficult on part of consumer to recognize the officer/engineer/ministerial staff/franchiser/ outsource employee whoever they are from which company

TPNODL Reply: All employees of TPNODL having proper official dress code along with company ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of assigned filed works.

19. Respondent's view – All the designated officer shall have the official phone no. and official email id.

TPNODL Reply: All the TPNODL employees have been provided with official email id for official correspondence.

20. Respondent's view – Approaching the consumer without dress code and authorization Letter from the competent section office/sub-division.

TPNODL Reply: All the TPNODL executives and staff have been provided with proper dress code and valid ID card. BA employees are also facilitated with valid ID card and adequate safety PPEs for safely execution of any field job assigned to them.

21. Respondent's view – Increase in meter rent of smart meter.

TPNODL Reply: Licensee has already submitted the proposal regarding meter rent for Smart Meter in the ARR FY 2023-24.

22. Respondent's view – Billing with Defective meter.

TPNODL Reply: Billing with defective meters is carried out by licensee as per the provision under OERC Distribution (Condition of Supply) Code, 2019. However, objector is requested to bring the individual cases to the notice of the licensee for its remedial action.

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TPNODL Reply: Individual job responsibility of each designated employees/officers/ engineers/workers are defined by competent authority of licensee.

36. The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

37. That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Sri Jayanta Kumar Jena, S/O-Late Baikuntha Bihari Jena, Plot No-40, Bapuji Nagar,
PO- Ashok Nagar, Bhubaneswar-9.

**BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR, CHANDRASEKHARPUR,
BHUBANESWAR**

25

Case No. 83/2022

IN THE MATTER OF: TP Northern Odisha Distribution Ltd (TPNODL), Januganj,
Odisha.

.....Applicant

AND

IN THE MATTER OF: Managing Director, GRIDCO Ltd. , Janpath, Bhubaneswar

..... Stakeholder

**Rejoinder to the objection/suggestions filed by Managing Director, GRIDCO Ltd on the
Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by
TPNODL for the year 2023-24**

7. TPNODL took over the license to distribute electricity in the five districts Balasore, Mayurbhanj, Bhadrak, Keonjhar and Jajpur districts of northern Odisha, which were earlier served by erstwhile NESCO Utility. With the delivery of utility of NESCO to TPNODL, the Licence of NESCO Utility stood transferred to TPNODL with effect from 01.04.2021 as per the Vesting Order dated 25.3.2021 in Case No-9/2021 of Hon'ble Commission. TPNODL has filed the ARR in conformity to OERC (Terms and Conditions for Determination of Wheeling and Retail Supply Tariff) Regulation, 2022
8. The stakeholder has requested Hon'ble Commission to issue necessary orders to accommodate various relaxations and exemption granted under Odisha Energy Policy, 2022.
9. It is to submit that, Odisha Renewable Energy Policy, 2022(herein after called RE Policy) has been notified by Govt. of Odisha on 30.11.22to promote development of renewable energy projects in the state.
10. The RE Policy provides some exemptions and incentives for promoting RE generation in the state under clause 10 which are reproduced below:

“10. Exemptions and Incentives

India has an installed generation capacity of 404 GW (July 2022), of which 168 GW (41.6%) is from non-fossil fuels. The total share of renewable energy (including hydro) was about 22% in overall energy mix for the country in FY 2021-22. Renewables (especially wind and solar) have been growing very strongly in recent

years (39 GW in 2015 to 110 GW by 2022). However, most of that development has happened in only 7-8 RE resource rich states. The policy of waiver of ISTS charges has created market distortion and discouraged development of RE projects in Odisha. The Government of India has decided to phase out the waiver of ISTS charges in the following manner:

Period of Commissioning	Applicable ISTS charges
Up to 30/06/2025	Nil
01/07/2025 to 30/06/2026	25% of applicable ISTS charges
01/07/2026 to 30/06/2027	50% of applicable ISTS charges
01/07/2027 to 30/06/2028	75% of applicable ISTS charges
01/07/2028 onwards	100% of applicable ISTS charges

Hence, the State Government shall extend the following incentives to promote development of RE projects in the State:

1. *Exemption of fifty (50) paisa per unit on Electricity Duty shall be provided to captive / open access consumers on consumption of energy from RE projects set up inside the State during the policy period. Such ED exemption shall be available for consumption of energy from the project for a period of fifteen (15) years from the date of commissioning of the project. In case a project is commissioned before 30.06.2026, the exemption shall be extended for five (5) more years, i.e., twenty (20) years in total.*

2. *Energy Storage Projects based on any technology shall be exempted from payment of Electricity Duty on input energy at the rate of fifty (50) paisa per unit for a period of fifteen (15) years from the date of COD, provided such energy is sourced from RE projects in Odisha.*

3. ***Fifty percent (50%) exemption of Cross-Subsidy Surcharge shall be provided to open access consumers, on consumption of energy from RE projects commissioned in the State during the Policy period for fifteen (15) years. The OERC shall issue necessary orders in this regard.***

4. *Exemption of twenty (20) paisa per unit on STU charges shall be provided to captive / open access consumers on consumption of energy from RE projects commissioned in the State during the Policy period for fifteen (15) years. In case a project is commissioned before 31.03.2026, the exemption shall be extended for five (5) more years, i.e., twenty (20) years in total. The OERC shall issue necessary orders*

in this regard.

5. Twenty-five percent (25%) exemption of wheeling charges shall be provided to captive / open access consumers on consumption of energy from RE projects commissioned in the state during the Policy period for fifteen (15) years. The OERC shall issue necessary orders in this regard.

- 11.** That, the licensee has prayed before Hon'ble Commission to continue the direction given for levy of CSS and wheeling charge on Open access from RE sources in its application . The justification for levy of CSS and wheeling charge on Open access from RE sources was presented before Hon'ble Commission in the ARR and Open Access application of the licensee for the FY 22-23 and on becoming satisfied on the submission of the licensee and after hearing all stakeholders, Hon'ble Commission had directed levy of CSS and wheeling charges on Open Access from RE sources in the Open Access order, point no-4 for the FY 2022-23, which is reproduced hereunder:

“4. The consumers availing renewable power through open access shall have to pay the transmission charge, wheeling charge and cross subsidy surcharge as applicable to consumers availing conventional power.”

- 12.** That, in view of notification of the RE Policy, the licensee prays before Hon'ble Commission to pass necessary order as deem fit to promote scaling of RE projects in the state in line with Odisha Renewable Policy,2022. However, the existing provision of levy of CSS and wheeling charges as applicable to consumers availing conventional power may please be continued for availing open access from RE projects outside the state.
- 13.** That, the reply to the queries of the Hon'ble OERC regarding the Aggregate Revenue Requirement, Wheeling and Retail Supply Tariff Application filed by TPNODL for the year 2023-24 have been placed in TPNODL website www.tpnodl.com, which may please be referred by the objector for further clarification.

For and on behalf of
TP Northern Odisha Distribution Ltd

Sr. General Manager (RR&L)

C.C. to: Managing Director, GRIDCO Ltd , Janpath, Bhubaneswar