

BEFORE THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
WORLD TRADE CENTRE, CENTRE NO.1, 13th FLOOR,
CUFFE PARADE, MUMBAI 400005

FILING NO.

CASE NO.

IN THE MATTER OF:

Petition for applicability of wheeling Charges .

AND IN THE MATTER OF:

The Tata Power Company Limited.
Bombay House,
24, Homi Mody Street,
Fort, Mumbai – 400 001

...Petitioner

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Petition for applicability of wheeling Charges .

MOST RESPECTFULLY SHOWETH:

I. Background:

1. This Hon'ble Commission by its Order dated 12th March, 2018 in Case No. 58 of 2017 had held that Tata Power-D is not permitted to levy/ recover Wheeling Charges & Wheeling Losses from Hindustan Petroleum Corporation Ltd. ("HPCL"), on the basis that the 110 kV Trombay-HPCL Feeders 1 & 2 through which power is availed by HPCL forms part of Tata Power-T's transmission system. This Hon'ble Commission had further directed Tata Power-D to refund the amounts so collected from HPCL on this count, along with applicable interest. The relevant extract of this Hon'ble Commission's Order (attached as **Annexure 1**) dated 12th March, 2018 is reproduced hereunder:

"11.15 In any event, HPCL is connected through Lines which are, admittedly, at present a part of TPC-T's Transmission Licence and thereby a part of the Intra-State Transmission System. Till such time as that remains the case, Wheeling Charges and Losses are not payable by HPCL to TPC-D.

11.16 Considering the foregoing, the Commission concludes that TPC-D is not entitled to levy Wheeling Charges for the power supplied by it to HPCL, or Wheeling Charges and Wheeling Losses on the power sourced from SWPGL through Open Access. Accordingly, TPC-D shall refund the amounts collected from HPCL on this count, along with applicable interest, within one month if directly, or by adjustment in HPCL's energy bill for the ensuing billing cycle."

2. Aggrieved by this Hon'ble Commission's Order dated 12th March, 2018, Tata Power-D filed an Appeal (Appeal No. 84 of 2018) before the Hon'ble Appellate Tribunal for Electricity ("Hon'ble ATE") challenging the legality of the said Order and seeking a declaration that lines with voltage of 66 kV and above can be part of the distribution

system. Further Tata Power-D had also sought a relief that Tata Power-D had rightly levied Wheeling Charges for the power supplied by it to HPCL and Wheeling Charges and Losses on the power sourced by HPCL through Open Access. The prayers sought by Tata Power-D before the Hon'ble ATE is reproduced hereunder:-

- “(a) Allow the Appeal and set aside the Impugned Order dated 12.03.2018 passed by Ld. Maharashtra Commission in Case No.58 of 2017.*
- (b) Hold and declare that lines with voltage of 66 kV and above can also form part of Distribution Networks.*
- (c) Hold and declare that TPC-D has rightly levied Wheeling Charges for the power supplied by it to HPCL and Wheeling Charges and Wheeling Losses on the power sourced by HPCL through Open Access.*
- (d) Pass such other or further order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice.”*

Along with the said Appeal, Tata Power-D had also filed an Interim Application seeking stay of this Hon'ble Commission's aforesaid Order.

3. On 12th September, 2018, during the pendency of Appeal No.84 of 2018, this Hon'ble Commission passed its Mid Term Review (Tariff) Order for Tata Power-D in Case No. 69 of 2018, determining tariff for each category of consumers for the period FY 2018-19 to FY 2019-20. While determining the Wheeling Charges, this Hon'ble Commission did not consider Tata Power-D's EHV Sales (Direct and OA) to consumers connected at EHV level (i.e., 110 kV). Accordingly, no Wheeling Charges and Losses were determined for EHV Consumers. Consequentially, Wheeling Charges for other set of consumers was increased, thereby causing tariff shock to these consumers. The said Order was passed by this Hon'ble Commission solely relying on its earlier Order dated 12th March, 2018, wherein this Hon'ble Commission had held that EHV lines would not form part of distribution system of Tata Power-D. The relevant extract of this Hon'ble Commission's MTR Order dated 12th September, 2018 is reproduced hereunder:-

“In the above said Order, the Commission ruled that HPCL, being a consumer connected to EHV Transmission network, it is not liable to pay Wheeling Charges to TPC-D. Aggrieved by this decision of the Commission, TPC-D filed an appeal before ATE in Appeal No. 84 of 2018. However, no stay has been granted by ATE on this Order.

Further, TPC-T filed a Petition before the Commission in Case No. 137 of 2016 for amendment of Transmission Licence No. 1 of 2014. In the said Petition, TPC-T submitted that 110 kV Trombay-HPCL Feeders 1 & 2 were never part of TPC-T ’ s asset and were assets of TPC-D. The Commission rejected the prayer of the Petitioner vide its Order dated 1 August, 2018 citing decision taken by the Commission in Order dated 12 March, 2018 in Case No. 58 of 2017.

In light of foregoing, the Commission is of the view that, although in MYT Order, the EHT sales were considered for computation of Wheeling Charges, the Commission in subsequent Orders has already decided on applicability of Wheeling Charges to EHV consumers. Further, the Commission in present Order has been undertaking Mid-Term Review of third Control Period and has determined the tariff for FY 2018-19 and FY 2019-20, after taking into account the developments that have happened in the first two years of the Control Period.

In view of the above, the Commission in the present Order has not considered the EHV sales for computation of Wheeling Charges. Accordingly, the Commission has reduced the sales at 110/132 kV level of 289.77 MU for FY 2018-19 and 294.42 MU for FY 2019-20 towards Direct consumers. Also, energy sales of 408.05 MU towards OA sales at 110/132kV level has not been considered for FY 2018-19 and FY 2019-20.”

[Emphasis supplied]

4. Subsequently, on 18th March, 2019, the Hon’ble ATE passed its Judgement in Appeal No. 84 of 2018, setting aside this Hon’ble Commission’s Order dated 12th March, 2018 in Case No. 58 of 2017 and holding that, the 110 kV Trombay-HPCL Feeders 1 & 2 forms part of Tata Power-D’s distribution system and are not part of the transmission system. The

Hon'ble ATE further held that, there is no embargo that the distribution network of a Distribution Licensee cannot include a line at 110 kV level which is primarily meant for distribution of electricity. The relevant extract of the Hon'ble ATE's Judgment is reproduced below:

"9.6 As held by this Tribunal in OPTCL case, there is no embargo that the distribution network of a distribution licensee cannot include a line at 110 kV level which is primarily meant for distribution of electricity. Moreover, as provided in the Act, the distribution can be undertaken at high voltage levels forming High Voltage Distribution System. We, therefore, find that the impugned order of the State Commission suffers from infirmity and perversity being passed not in accordance with the extant statute."

"11. Summary of Our Findings:-

In view of the findings and analysis brought out in the above mentioned paras, we are of the considered view that the reference 110 kV HPCL Feeders are part of the distribution network of the TPC-D. Further, to arrive at a balanced decision and evolving judicious principles for safeguarding interests of all stakeholders, the wheeling charges are required to be determined at EHT (110 kV) level also along with determination of other wheeling charges at LT/HT levels in accordance with law. Accordingly, we hold that the instant Appeal deserves to be allowed to the extent mentioned as above.

ORDER

For the foregoing reasons, we are of the considered opinion that the issues raised in the present appeal being Appeal No.84 of 2018 have merit. Hence, the Appeal is allowed and the impugned order dated 12.03.2018 passed by the Maharashtra Electricity Regulatory Commission in the Case No. 58 of 2017 is set aside to the extent, as stated in Para 11 above. The State Commission is directed to pass consequential orders as per the above findings, as expeditiously as possible within a period of three months from the receipt of a copy of the judgment."

[Emphasis supplied]

5. In view of the Hon'ble ATE's aforesaid Judgment, Wheeling Charges and Losses become applicable to all EHV Consumers, including HPCL.

6. In view of the above, Tata Power-D is filing the present Petition for seeking implementation of the Hon'ble ATE's Judgment dated 18th March, 2019 in Appeal No.84 of 2018 for seeking prayers as stated hereinabove. As is evident from the foregoing, Wheeling Charges and Losses were not made applicable to all EHV consumers from 1st September, 2018 onwards (re. MTR Order), solely on the basis of this Hon'ble Commission's Order dated 12th March, 2018 in Case No. 58 of 2017. As the said Order dated 12th March, 2018 has been set aside vide the Hon'ble ATE's Judgment dated 18th March, 2019 in Appeal No.84 of 2018 and the Hon'ble ATE has categorically held that 110 kV lines can form part of the distribution system, Wheeling Charges and Losses become applicable to all EHV consumers. It is pertinent to note that, all along the concerned EHV assets have continued to be in the GFA of the Distribution Licensee. Hence, there would be no difference in the ARR of Distribution Licensee.

7. For completion of record, it is stated that, Tata Power-D has filed an Appeal (Appeal (DFR) No. 4256 of 2018) challenging this Hon'ble Commission's MTR Order dated 12th September, 2018 in Case No, 69 of 2018 before the Hon'ble ATE. Amongst others, Tata Power-D had raised the issue of non-determination of Wheeling Charges for EHV consumers, in the said Appeal. In view of the peculiar situation, Tata Power-D is constrained to file the present Petition before this Hon'ble Commission seeking implementation of the Hon'ble ATE's Judgment dated 18th March, 2019 in terms of the directions provided therein. In the aforesaid Appeal Tata Power-D has prayed following:

“(i) It is respectfully submitted that the Appellant has proceeded to file an Appeal against such Order of the Ld. Commission vide Appeal No. 84 of 2018. The Appellant craves the leave of this Hon'ble Tribunal to refer the same, if required, during the course of hearing.”

Accordingly, Tata Power-D shall also seek liberty of the Hon'ble ATE to withdraw the issue regarding Wheeling Charges from its aforesaid pending Appeal.

II. Applicability of Wheeling Charges to EHV Consumers

8. Prior to this Hon'ble Commission's Order dated 12th March, 2018 in Case No. 58 of 2017, Wheeling Charges were being paid by all EHV consumers in terms of this Hon'ble Commission's MYT Order dated 21st October, 2016 in Case No. 47 of 2016. Pursuant thereto, this Hon'ble Commission on 12th September, 2018 passed its Mid Term Review (Tariff) Order for Tata Power-D in Case No. 69 of 2018, wherein this Hon'ble Commission while keeping the philosophy/ principles applied in the MYT Order intact did not consider EHV sales for computation of Wheeling Charges. Accordingly, Wheeling Charges were not made applicable to any EHV consumers of Tata Power-D. Table No.1 below bifurcates the rates/ applicability of Wheeling Charges and Losses based on the applicable Tariff Orders passed by this Hon'ble Commission and highlights the consumer(s) who are required to pay Wheeling Charges and Losses in terms of the Hon'ble ATE's Judgment dated 18th March, 2019.

Table 1: Wheeling Charges Status

Sr. No.	Period	Tariff Order Applicable	Applicable Wheeling Charges (Rs/kWh)	Whether Wheeling Charges and Losses paid	Remark
1	Prior to March, 2018	Case No. 47 of 2016 (MYT)	0.87	All EHV consumers paid	NA
2	March, 2018	Case No. 47 of 2016 (MYT)	0.87	All EHV consumers paid, except HPCL	Bill was being raised by Tata Power-D but claim for payment made after the Hon'ble ATE's Judgment dated 18 th March, 2019.
3	April 2018 to August 2018	Case No. 47 of 2016 (MYT)	0.88	All EHV consumers paid, except HPCL	
4	September 2018 to March 2019	Case No. 69 of 2018 (MTR)	NA	None of the EHV consumers have paid as per MTR Order	Wheeling Charges to be made applicable as per the Hon'ble ATE's Judgment dated 18 th March, 2019.
5	April 2019 to March 2020	Case No. 69 of 2018 (MTR)	NA	None of the EHV consumers have	

				paid as per Tariff Order	
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III. Wheeling Charges have been determined in the Tariff Order

9. In its MYT Order dated 21st October, 2016 in Case No.47 of 2016, this Hon'ble Commission had based on the tariff philosophy and rational employed therein, specifically considered EHV Sales as part of HT Sales while reviewing/ calculating the Wheeling Charges for Tata Power-D. This was in line with the past practice followed by this Hon'ble Commission, with which no objection had been taken by any person. In fact, the philosophy considered by this Hon'ble Commission was that, due to lower sales on Tata Power-D's wires, the LT Wheeling Charges of Tata Power-D are already on the higher side. Therefore, excluding EHT Sales would further increase the Wheeling Charges at HT and LT levels. Accordingly, this Hon'ble Commission in its MYT Order dated 21st October, 2016 for Tata Power-D, had computed the Wheeling Charges for HT (including EHV) as Rs. 0.88/kWh for FY 2018-19 and LT Wheeling Charges as Rs.1.81/kWh for FY 2018-19.
10. This Hon'ble Commission had employed the same methodology for all other Mumbai distribution licensee i.e., AEML and BEST for MYT period although for MSEDCL had determined voltage wise wheeling charges.
11. Thus, this Hon'ble Commission during the MYT proceedings in 2016, after duly considering various factors and setting out equitable rational/ fundamental principles, adopted a specific methodology while computing the Wheeling Charges for Mumbai Utilities for the period FY 2016-17 to FY 2019-20.
12. Accordingly, until this Hon'ble Commission's Order dated 12th March, 2018 in Case No. 58 of 2018, Wheeling Chagres as determined by this Hon'ble Commission (in its MYT Order) were being paid by all EHV Consumers including HPCL (evident from Sr. No.1 in Table No.1 above). Subsequent to this Hon'ble Commission's Order dated 12th March, 2018, for the periods March 2018 to August 2018 (Sr. Nos. 2 & 3 in Table No.1 above), all

EHV Consumers except, HPCL have paid the Wheeling Charges as determined by this Hon'ble Commission in its MYT Order in Case No. 47 of 2016. During the pendency of the proceedings in Appeal No. 84 of 2018 before the Hon'ble ATE, Tata Power-D had been raising monthly electricity bills, including Wheeling Charges upon HPCL, however, in line with a gentlemen's agreement between the parties before the Hon'ble ATE, payment towards Wheeling Charges was not claimed from HPCL.

13. Consequent to the Hon'ble ATE's Judgment dated 18th March, 2019, Tata Power-D, through its letter dated 1st April, 2019, has requested HPCL to pay the amount towards Wheeling Charges as per the monthly bills already raised. However, Tata Power-D is yet to receive the payment from HPCL. Considering that the amounts towards Wheeling Charges have become payable consequent to the Hon'ble ATE's aforesaid Judgment and the Wheeling Charges for that period were already determined by this Hon'ble Commission and paid by all EHV consumers except HPCL, we request this Hon'ble Commission to direct HPCL to make the necessary payments immediately along with applicable DPC and carrying costs.

IV. Period for which Wheeling Charges have not been made applicable for EHV consumers (1st September, 2018 to 31st March, 2019)

14. As stated above, this Hon'ble Commission had passed its MTR Order dated 12th September, 2018 in Case No. 69 of 2018, determining the tariff for the period FY 2018-19 to FY 2019-20. It is noteworthy that, for the period September 2018 to March 2019 (Sr. No.4 in Table No.1 above), this Hon'ble Commission had not made applicable Wheeling Charges payable by EHV Consumers after relying on its earlier Order in Case No. 58 of 2017, wherein it was held that 110 kV assets form part of the transmission system and are not distribution assets and had kept the principles of determining wheeling charges the same as MYT Order. For the said period FY 2018-19, this Hon'ble Commission had determined Wheeling Charges at the rate of Rs. 1.46/kWh for HT consumers. Since, the said period of FY 2018-19 is already over for which the rate of Rs 1.46 /kWh was approved for HT consumers, it is submitted that this Hon'ble Commission allow Tata Power-D to

recover the same from all EHV consumers as well, based on the said approved Wheeling Charges for FY 2018-19. Tata Power-D undertakes to adjust the gap / surplus at the time of truing-up for the respective years. It is pertinent to note that, post the Hon'ble ATE's Judgment dated 18th March, 2019 Wheeling Charges are applicable to EHV consumers and higher Wheeling Charges have been already paid by other consumers during this period.

15. In case Wheeling Charges other than that determined and already recovered (from HT consumers) for FY 2018-19 are made applicable to the EHV consumers, it would unfairly discriminate against the other consumers of Tata Power-D, who have already paid much higher Wheeling Charges during the said period. Hence, it may be prudent to charge Wheeling Charges for this past period in line with what has been paid by the other consumers and adjust the gap / surplus of this year on account of Wheeling Charges collected in future years, so that the same gets distributed evenly across all consumers. Accordingly, for this short past period from September, 2018 to March, 2019, we request this Hon'ble Commission to make applicable the Wheeling Charges as approved for HT consumers in the MTR Order dated 12th September, 2018 to the EHV consumers as well.

V. Wheeling Charges for FY 2019-20:

16. Similarly, for the period April 2019 to March 2020 (Sr. No.5 in Table No.1 above), this Hon'ble Commission has not determined Wheeling Charges for EHV consumers in its MTR Order dated 12th September, 2018. This Hon'ble Commission, based on its Order dated 12th March, 2018 in Case No. 58 of 2017, has computed Wheeling Charges for FY 2019-20 in its MTR Tariff Order by excluding EHV Sales. The relevant extract of the MTR Tariff Order and Wheeling Charges approved are as given below:

"In light of foregoing, the Commission is of the view that, although in MYT Order, the EHT sales were considered for computation of Wheeling Charges, the Commission in subsequent Orders has already decided on applicability of Wheeling Charges to EHV consumers. Further, the Commission in present Order has been undertaking Mid-Term Review of third Control Period and has determined the tariff

for FY 2018-19 and FY 2019-20, after taking into account the developments that have happened in the first two years of the Control Period.

Further, TPC-D's reference to the ATE Judgment to the effect that the basic tariff setting principles and methodology adopted by the Commission cannot be drastically amended at the truing up stage, is inappropriate, as the Commission has not amended the principles for the true-up period.

In view of the above, the Commission in the present Order has not considered the EHV sales for computation of Wheeling Charges. Accordingly, the Commission has reduced the sales at 110/132 kV level of 289.77 MU for FY 2018-19 and 294.42 MU for FY 2019-20 towards Direct consumers. Also, energy sales of 408.05 MU towards OA sales at 110/132kV level has not been considered for FY 2018-19 and FY 2019-20.

The Commission sought details of ratio for HT GFA and LT GFA for FY 2015-16 to FY 2017-18. TPC-D submitted the actual HT:LT ratio of GFA as 77:23 for FY 2017-18. The Commission has considered the same ratio for computation of Wheeling Charges for FY 2018-19 and FY 2019-20.

Accordingly, the Commission has approved the Wheeling Charges as shown in the Table below:

Table 8-22: Wheeling Charges for FY 2018-19 and FY 2019-20 as approved by the Commission

Particulars	FY 2018-19			FY 2019-20		
	MYT Order	MTR Petition	Approved in this Order	MYT Order	MTR Petition	Approved in this Order
Direct Sale (MU)						
HT Sale	2,310.00	2,533.27	1,746.01	2,348.00	2,621.88	1,767.49
LT Sale	920.00	1,078.15	1,044.49	985.00	1,298.77	1,165.15
Direct Sale %						
HT Sale	72%	70%	63%	70%	67%	60%
LT Sale	28%	30%	37%	30%	33%	40%
GFA %						
HT Sale	77%	77%	77%	77%	75%	77%
LT Sale	23%	23%	23%	23%	25%	23%
Wires ARR (Rs Crores)	370.00	506.86	528.38	400.00	566.66	645.25
Network Cost- HT	284.00	390.29	406.85	307.00	424.99	496.84
Network Cost- LT	86.00	116.58	121.53	93.00	141.66	148.41
Wheeling Cost HT	203.00	273.77	254.57	216.00	284.21	299.44

Wheeling Cost LT	167.00	233.09	273.81	184.00	282.45	345.80
HT wheeling Charge -Rs/kWh	0.88	1.08	1.46	0.92	1.08	1.69
LT wheeling Charge -Rs/kWh	1.81	2.16	2.62	1.87	2.17	2.97
Revenue from Open Access Consumer			60.94			70.81

The above said determined Wheeling Charges are not applicable for consumers connected at EHV level i.e., 110 / 132 kV

17. As is evident from the foregoing, Wheeling Charges were computed by this Hon'ble Commission excluding the EHV sales. The EHV sales not considered for the computation of Wheeling Charges are as given in Table No.2 below:

Table 2: EHV Sales not considered for Wheeling Charges computation for FY 2019-20

<i>Mus</i>	
EHV Sale	FY 2019-20
Direct Sale	294.42
Open Access Sale	408.05
Total	702.47

18. Since, the Tariff is for the period going forward and yet to be made applicable to the consumers, basis the Hon'ble ATE's Judgment dated 18th March, 2019 Wheeling Charges can be computed considering the EHV sales. In this regard, we wish to submit that the Hon'ble ATE in its aforesaid Judgment has opined that the Wheeling Charges are required to be determined at EHV (110 kV) level also along with determination of other Wheeling Charges at LT/ HT levels, in accordance with law.
19. In this regard, it is pertinent to highlight that, the Hon'ble ATE in its recent Judgment dated 27th March, 2019 in Appeal Nos. 311 & 315 of 2018 titled *M/s. JSW Steel Ltd. vs. MERC & Anr.*, has held that the fundamental principles/ philosophy adopted by the Commission in MYT proceedings cannot be reopened and changed at the stage of MTR proceedings. The relevant extracts are reproduced hereunder for ease of reference:-

“82. In terms of clauses 8.1 and 8.2 of the MERC Regulations 2015, it explains the purpose of Mid Term Review, which reads as under:

“8. Mid-term Review- 8.1 The Generating Company or Licensee or MSLDC shall file a Petition for Mid-term Review and Truing-up of the Aggregate Revenue Requirement and Revenue for the years 2015-16 and 2016-17, and provisional Truing-up for the year 2017-18, by November 30, 2017.

Provided that the Petition shall include information in such form as may be stipulated by the Commission, together with the Accounting Statements, extracts of books of account and such other details, including Cost Accounting Reports or extracts thereof, as it may require to assess the reasons for and extent of any difference in operational and financial performance from the approved forecast of Aggregate Revenue Requirement and expected revenue from Tariff and charges.

8.2 The scope of the Mid-term Performance Review shall be a comparison of the actual operational and financial performance vis-à-vis the approved forecast for the first two years of the Control Period; and revised forecast of Aggregate Revenue Requirement, expected revenue from existing Tariff, expected revenue gap, and proposed category-wise Tariffs for the third and fourth year of the Control Period.”

*83. The scope of Mid Term Review proceedings is understood from the above regulations. As seen from the above Regulations, the Commission cannot deviate from the principles adopted in the Multi Year Tariff order. **Fundamental principles adopted in the MYT proceedings cannot be reopened and challenged at the stage of MTR proceeding, the scope of which is very limited.***

84. Admittedly, the impugned order seems to be passed in exercise of powers under Regulations 8.1 and 8.2.

85. There is one more flaw in the manner in which the Respondent Commission proceeded with Mid-Term-Performance Review. Having come to conclusion that captive consumers are not liable to pay additional surcharge in MYT proceedings, which was implemented by MSEDCL, MERC opines in Review Proceedings that additional surcharge is payable by captive consumers of captive power plant. But this is without giving an opportunity of being heard to the Appellants. This is nothing but violation of principles of natural justice. Firstly, Mid-Term Review is nothing but a comparison between the actual operational performance (factual) vis-a-vis the

approved forecast in terms of MERC regulations of 2015. This is nothing but ignoring its own regulations.” [Emphasis supplied]

20. This aforesaid principle was also considered by the Hon’ble ATE in its Judgment dated 10th August, 2010 passed in *Meghalaya State Electricity Board v. Meghalaya State Electricity Regulatory Commission & Anr.* reported as 2010 ELR (APTEL) 0940.

21. As stated in the foregoing paragraphs, this Hon’ble Commission had based on its tariff philosophy and rationale employed in its MYT Order dated 21st October, 2016 in Case No. 47 of 2016 included the EHV Sales in HT sales while determining the Wheeling Charges for HT/EHV consumers of Tata Power-D and other Mumbai Utilities. Subsequently, in its MTR Order dated 12th September, 2019, this Hon’ble Commission has continued with the same principles for determining wheeling charges but excluded EHV sales based on the finding in the Order in Case No. 58 of 2017 that they were not distribution assets. In view of the Hon’ble ATE’s aforementioned recent Judgment, Wheeling Charges applicable for FY 2019-20 are to be recomputed in line with the fundamental principles/ philosophy set out/ considered by this Hon’ble Commission in the MYT Order dated 21st October, 2016, as set out in Table No.3 below. It is to be noted that, the determination of Wheeling Charges is just a redistribution of the already approved Wires ARR in MTR Order dated 12th September, 2018 in Case No. 69 of 2018, considering the EHV sales and does not entail redetermination of ARR:

Table 3: Wheeling Charges FY 2019-20 including EHV sales

Particulars		FY 2019-20
Direct (Mus)		
HT Sale with 15 days adjustment (Mus)	1	2470
LT Sale with 15 days adjustment (Mus)	3	1165
Total Sale (Mus)	4=1 to 3	3635
Direct Sale %		
HT Sale	5	68%
LT Sale	6	32%
GFA %		
HT GFA	7	77%
LT GFA	8	23%
Wires ARR (Rs Crores)	9	645
Network Cost- HT	10=7*9	497
Network Cost- LT	11=9-10	148
Wheeling Cost HT	12=5*10	338
Wheeling Cost LT	13=9-12	308
HT wheeling Charge -Rs/kWh	14=12/((1+2)*10	1.37
LT wheeling Charge -Rs/kWh	15=13/3*10	2.64

22. As can be seen from the above, the revised Wheeling Charges reduces the burden on the consumers considerably. Hence, we request this Hon'ble Commission to re-compute the Wheeling Charges for FY 2019-20 considering the EHV sales.

VI. Prayers

23. It is most respectfully prayed that this Hon'ble Commission may be pleased to:
- Allow Tata Power-D to recover the Wheeling Charges and Wheeling Losses for the past period (i.e., March 2018 to March 2019) from the EHV consumers as specified in the paras above.

- b) Recompute Wheeling Charges for FY 2019-20 considering EHV sales and accordingly make them applicable for all consumers.
- c) Pass such other order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.
- d) Condone any inadvertent omissions/ errors / rounding off differences / shortcomings and permit Tata Power- D to add / change / modify / alter this filing and make further submissions as may be required at a future date.

Date: 10th April, 2019

Place: Mumbai

For and on behalf of the Petitioner