



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



माहितीचा
अधिकार



एक कदम स्वच्छता की ओर

Date: 09.08.2018

MERC/ADM/RTI/41/2018/ 133

To,

Dr. A.T. Wagle,
Vithal Bhavan, 2nd Floor, 25 Turner Road,
Bandra (W). Mumbai – 400 050.

Subject : Your RTI application dated 09.07.2018 under RTI Act 2005.

Sir,

The office of the Commission is in receipt of your application dated 11.07.2018 under section 6 (1) RTI Act 2005 seeking information by the PIO.

Applicant has sought the information as under:-

No	Information Sought	Information Provide
I)	Dates of	
	a) Takeover of BSES by Reliance.	This information not available in Commission's Office.
	b) Change of Tariffs from BSES to Reliance permitted by MERC	The Commission in the first time issued Tariff Order in Case No. 18 of 2003 dated 1 st July, 2004, which was for Reliance Energy Limited.
	c) Suburban customers were allowed to transfer from Reliance to Tata Power and vice-versa.	The Commission in Case No. 50 of 2009 dated 15 October, 2009 has allowed transfer of consumers from R-Infra –D to TPC-D and vice-versa.
	d) Reliance was allowed so called, "wheeling charges" at 10 % from customers transferred to Tata Power.	The Commission in Case No. 50 of 2009 dated 15 October, 2009 has allowed transfer of consumers from R-Infra –D to TPC –D and vice-versa. The Para 13 of the order in enclosed. (Copy enclosed)
II)	What are "Regulatory Asset Charges" In what way are they different from "wheeling" charges?	Information sought is nature of justification/clarification the PIO is not supposed to answer the justification/clarification.
III)	Number of Customers of Reliance Infra and of Tata Power shifted from Reliance Infra at present.	Refer form 13.1 of the Petition Annexure in Case No. 69 of 2018, which is available on TPC Website. (Copy enclosed for ready reference)
IV)	Tariffs of BSES before takeover by Reliance, and Tariffs granted by MERC to Reliance after takeover	The Commission in the first time issued Tariff Order in Case No. 18 of 2003 dated 1 July, 2004, which was for Reliance Energy Limited.

१३वा मजला, केंद्र क्र. १, जागतिक व्यापार केंद्र, कफ परेड, कुलाबा, मुंबई - ४०० ००५.

13th Floor, Centre No. 1, World Trade Centre, Cuffe Parade, Colaba, Mumbai - 400 005.

Tel.: 022-2216 3964 / 2216 3965 / 2216 3969 Fax : 022-2216 3976

E-mail : mercindia@merc.gov.in / mercindia@mercindia.org.in Website : www.merc.gov.in / www.mercindia.org.in

Information is sought para (II) as under:

Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 1/7/2009-IR dated 1st June, 2009. Information cannot include within its fold answers to the question "Why" which would be same thing as asking the reason for a justification for a particular thing. The PIO cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification are matter within the domain of adjudication authorities and cannot properly be classified as information." This is not come under RTI.

According to section 2(f) of the RTI Act 'Information' means 'any material in any form'. Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 11/2/2008-IR dated 10th July, 2008. Careful reading of the definition of 'Information' and 'right to information' makes it clear that a citizen has a right to get the material, inspect the material, take notes form the material, take extracts or certified copies of the material, take samples of the material, take the material in the form of diskettes etc. The PIO is required to supply such material to the citizen who seeks it.

In case, if you are not satisfied with our reply, you may approach to Shri Anilkumar Ukey (Dy. Director-Legal), who is Appellate Authority, within thirty days from the receipt of the information as provided under section 19(1) of RTI Act 2005.

Yours faithfully,



(Hemlata Moti)

Public Information Officer & Section Officer

Para. 13 of the order –

13. Calculation of tariff for Changed-over consumers

- ii. *The Commission rules that the consumer should not be required to pay the wheeling charges of both TPC-D and RInfra-D.*

Since, in this particular case, the RInfra-D network is being utilized for wheeling of energy to the consumer, the wheeling charges for RInfra-D should be added to and the wheeling charges for TPC-D should be deducted from the final tariff of TPC-D as determined by the Commission from time to time. For determination of tariff for Changed-over consumers, the following methodology shall be used:

	<i>Calculation methodology for tariff for a Changeover consumer</i>
	<i>Charges based on tariff of the Supply Distribution Licensee as determined by the Commission</i>
<i>Less:</i>	<i>Wheeling charges of the Supply Distribution Licensee</i>
<i>Add:</i>	<i>Wheeling charges of the Wheeling Distribution Licensee</i>
	<i>Tariff chargeable to the Changeover consumer</i>

In the above tariff computations the wheeling charges, expressed as Rs./kWh, in the Commission's Clarificatory Orders dated July 22, 2009 for RInfra-D and TPC-D and in subsequent orders, if any, shall be considered.

Petition Annexure in case no. 69 / 2018.

Year : FY 2017-18			
Category	No. of consumers		
	Direct	CO	Total
	Nos	Nos	Nos
HT Category			
HT I – Industry	97	4	101
HT II – Commercial	150	8	158
HT III - Group Housing Society	2	0	2
HT IV - PWW & Sewage Treatment Plants	6	0	6
HT V(A) - Railways	4	0	4
22/33 KV	2	0	2
HT V(B) - Railways Metro & Monorail	2	0	2
HT VI - Public Services	40	0	40
HT VI(A) - Publ Serv Govt Hosp & Edu Inst	11	0	11
HT VI(B) - Public Services Others	30	0	30

HT VII - Temporary Supply	18	0	18
Sub-total	317	12	329
LT Category			
LT I - Residential (BPL)	0	0	0
LT I - Residential	101483	543000	644483
0-100	41417	94898	136315
101-300	38206	346571	384777
301-500	12971	74530	87501
501 and above	8889	27001	35890
LT II - Commercial	16595	18818	35413
LT II(A) - Commercial upto 20 kW	13086	17807	30893
LT II(B) - Commercial 20 to 50 kW	1853	623	2476
LT II(C) - Commercial > 50 kW	1656	388	2044

LT III(A) - Industrial upto 20 kW	1139	1721	2860
LT III(B) - Industrial > 20 kW	748	321	1069
LT IV - PWW & Sewage Treatment Plants	0	0	0
LT V - Advertisement & Hoardings	7	11	18
LT VI - Streetlights	6	0	6
LT VII – Temporary Supply	407	4	411
LT VII(A) - Temporary Religious	1	0	1
LT VII(B) - Temporary Others	406	4	410
LT VIII - Crematoriums & Burial Grounds	0	5	5
LT IX - Public Services	263	157	420
LT IX(A) - Publ Serv Govt Hosp & Edu Inst	221	136	357
LT IX(B) - Public Services Others	42	21	63
Sub-total	120648	564037	684685

15 days adjustment	0	0	0
Sub-Total	120965	564049	685014
Prompt Discount			
Total	120965	564049	685014