1. EXECUTIVE SUMMARY

Introduction

- 1.1 Maharashtra Eastern Grid Power Transmission Company Limited (MEGPTCL/ Petitioner) has been granted Transmission Licence No. 1 of 2010 vide the Commission's Order dated September 14, 2010 to establish and operate the licensed transmission system.
- 1.2 The transmission system under Licence is required for evacuation of power from Thermal Power Stations in the north-eastern part of Maharashtra to the load centres in central and western part of the State. The said objective has been fulfilled by successfully commissioning the MEGPTCL Transmission system in phases by March 31, 2015.
- 1.3 The entire transmission system was segregated in different Sets for the purpose of tariff determination based on Commercial Operation Date. The commissioning schedule was worked out in such a way that each set was independently capable of transmitting power from the date of its commissioning and become an integral part of the Intra-State Transmission System (InSTS).

Statutory Provisions

- 1.4 The Petitioner, being a Transmission Licensee endeavours to operate under the stipulated regulatory regime. The Transmission Business is governed and regulated under following Act, Policy and Regulations:
 - Electricity Act 2003;
 - National Electricity Policy;
 - National Tariff Policy; and
 - MERC (Multi Year Tariff) Regulations, 2015 and
 - MERC (Multi Year Tariff) Regulations, 2019
- 1.5 The Hon'ble Commission has notified MYT Regulations, 2019 for determination of tariff for Generation, Transmission and Distribution on 01.08.2019. Regulation 5 (1) (b) specifies Mid-Term Review ("MTR") Petition to be filed by 01.11.2022 by Transmission Licensees, comprising:
 - a) Truing-up for FY 2019-20 to be carried out under the Maharashtra Electricity Regulatory Commission (Multi Year Tariff) Regulations, 2015:
 - b) Truing-up for FY 2020-21 and FY 2021-22 to be carried out under the Maharashtra Electricity Regulatory Commission (Multi Year Tariff) Regulations, 2019:
 - c) Provisional Truing-up for FY 2022-23 to be carried out under the Maharashtra Electricity Regulatory Commission (Multi Year Tariff) Regulations, 2019;
 - Revised forecast of Aggregate Revenue Requirement, expected revenue from existing Tariff and charges, expected revenue gap, and proposed category-wise Tariff for the fourth and fifth year of the Control Period;

- 1.6 In view of the above, MEGPTCL submits the following
 - a) Petition for True-up of ARR for FY 2019-20 as per provisions of MYT Regulations, 2015.
 - b) Petition for True-up of ARR for FY 2020-21 and FY 2021-22 as per provisions of MYT Regulations, 2019.
 - c) Petition for Provisional True-Up of ARR for FY 2022-23 as per provisions of the MYT Regulations, 2019.
 - d) Determination of Revised ARR for FY 2023-24 and FY 2024-25 as per provisions of the MYT Regulations, 2019.
 - e) Differential Impact worked out by the Hon'ble MERC vide order dated 03.06.2021 as per Judgment of the Hon'ble Appellate Tribunal of Electricity dated 24 July 2020 in Appeal No. 260 of 2016
 - f) Consequential Impact as per Judgement of the Hon'ble Appellate Tribunal of Electricity dated 28 November 2022 in Appeal No. 18 of 2019 & Appeal No. 173 of 2022

Basis for Computation of True-up, Provisional True-up & Revised Forecast of ARR

- 1.7 Based on the closing capital cost approved for FY 2018-19 by the Hon'ble Commission in case No. 50 of 2016 dated 03 June, 2021, True-up of ARR for FY 2019-20, FY 2020-21 & FY 2021-22, provisional true-up of ARR of FY 2022-23 and Revised ARR for FY 2023-24 & FY 2024-25 has been determined by the Petitioner. The Audited Annual Accounts for FY 2019-20, FY 2020-21 and FY 2021-22 are submitted at **Annexure 1**, **Annexure 2** & **Annexure 3** respectively. The components considered in True-up of ARR are:
 - (a) Operation and Maintenance Expense
 - (b) Depreciation
 - (c) Interest on Loan Capital
 - (d) Interest on working capital and deposits from Transmission System Users
 - (e) Income Tax
 - (f) Contribution to contingency reserves
 - (g) Return on Equity Capital
 - (h) Non-Tariff Income
 - (i) Income from Other Business, to the extent specified in the Regulations
 - (j) Sharing of gains and losses
 - (k) Carrying cost and incentive

- 1.8 The Petitioner has carried out the Mid-Term Review of ARR on the following basis:
 - (a) True-up of ARR for FY 2019-20, FY 2020-21 and FY 2021-22 based on closing capital cost approved for FY 2018-19 by the Hon'ble Commission in case no. 50 of 2016 dated 03 June, 2021 for Assets under Set 1, Set 2a, Set 2b and Set 3 and provisions of MYT Regulations, 2015 & 2019 and other Regulations.
 - (b) Provisional True up for ARR for FY 2022-23 based on closing Capital Cost approved for FY 2018-19 by the Hon'ble Commission in case no. 50 of 2016 dated 03 June, 2021 and additional Capital cost for FY 2019-20, FY 2020-21, FY 2021-22 & 2023-24, and provisions of MYT Regulations, 2019 and other Regulations.
 - (c) Revenue Gap/ (Surplus) has been determined as per provisions of the MYT Regulations, 2015 for FY 2019-20 and as per provisions of the MYT Regulations, 2019 for FY 2020-21, 2021-22 and 2022-23.
 - (d) Carrying cost for recoveries during FY 2023-24 as follows:
 - Carrying cost for difference in approved ARR & actual Revenue Requirement after adjusting gain (Loss) for delay in approval of recovery in FY 2019-20.
 - Carrying cost for difference in approved ARR & actual Revenue Requirement after adjusting gain (Loss) for delay in approval of recovery in FY 2020-21.
 - Carrying cost for difference in approved ARR & actual Revenue Requirement after adjusting gain (Loss) for delay in approval of recovery in FY 2021-22.
 - (e) Revised ARR for the FY 2023-24 & FY 2024-25 projected as per the provisions of MYT Regulations, 2019 and other Regulations.
 - (f) Differential Impact worked out by the Hon'ble MERC vide order dated 03 June, 2021 as per Judgment of the Hon'ble Appellate Tribunal of Electricity dated 24 July, 2020 in Appeal No. 260 of 2016
 - (g) Consequential Impact as per Judgement of the Hon'ble Appellate Tribunal of Electricity dated 28 November 2022 in Appeal No. 18 of 2019 & Appeal No. 173 of 2022
- 1.9 Aggrieved by the order of Hon'ble Commission dated 05.07.2016 in case No. 50 of 2016, the Petitioner had filed an Appeal with Hon'ble APTEL registered as Appeal No. 260 of 2016. Hon'ble Appellate Tribunal of Electricity gave its Judgement vide dated 24 July, 2020 in Appeal No. 260 of 2016. The Hon'ble MERC vide order dated 03 June, 2021 as per Judgment of the Hon'ble Appellate Tribunal of Electricity dated 24 July, 2020 in Appeal No. 260 of 2016 approved differential impact in ARR.
- 1.10 Aggrieved by the order of Hon'ble Commission dated 12.09.2018 in case No. 169 of 2017, the Petitioner had filed an Appeal with Hon'ble APTEL registered as Appeal No. 18 of 2019. Aggrieved by the order of Hon'ble Commission dated

30.03.2020 in case No. 190 of 2019, the Petitioner had filed an Appeal with Hon'ble APTEL registered as Appeal No. 173 of 2022. Hon'ble Appellate Tribunal of Electricity gave its Judgement vide dated 28 November 2022 in Appeal No. 18 of 2019 & Appeal No. 173 of 2022. Consequential impact of APTEL Judgement dated 28 November 2022 in Appeal No. 18 of 2019 & Appeal No. 173 of 2022 has been considered in present Petition.

- 1.11 Subsequent to approval of ARR as part of MYT Order dated 30.03.2020 in Case No. 290 of 2019, MEGPTCL has been allowed revised ARR vide Order dated 03.06.2021 in Case No. 50 of 2016 by the Hon'ble Commission. Hence, MEGPTCL has compared its actual ARR with revised ARR (approved in Order dated 03.06.2021) for Truing-up as well as Provisional Truing-up purpose.
- 1.12 Consequential impact on already Trued-up ARR of FY 2015-16 to FY 2018-19 as per Hon'ble APTEL judgement dated 28.11.2022 in Appeal No. 18 of 2019 & Appeal No. 173 of 2022 is summarised in the table below.

Table 1-1: Consequential Impact on already Trued-up ARR of FY 2015-16 to FY 2018-19 – as per Hon'ble APTEL Judgement dated 28.11.2022 (Rs. Crore)

Sr. No.	Particulars	Amount
1	Revised Trued up ARR for FY 2015-16 to FY 2018-19 (Impact of Hon'ble ATE Judgement dated 28.11.2022)	165.74
2	Carrying cost on revised Trued up ARR	96.54
3	Impact on approved Incentive for the period FY 2015-16 to FY 2018-19 (Impact of Hon'ble ATE Judgement dated 28.11.2022)	1.34
4	Carrying cost on additional incentive to be recovered	0.47
5	Estimated impact of Income Tax on past due recovery (Sr. No. $1 + 2 + 4$) @ 17.472%	55.63
6	Total estimated recovery in FY 2023-24 due to impact of Hon'ble ATE Judgement dated 28.11.2022	319.72

1.13 Trued up ARR of the Petitioner for FY 2019-20 considering above factors, is summarized in the table below.

Table 1-2: True Up of ARR for FY 2019-20 (Rs. Crore)

Sr. No.	Particulars	Case 50 of 2016 dated 03.06.2 021	Revised Normativ e/ Actual	Actual	Deviati on	Contr ollabl e	Uncon trollabl e	Net Entitleme nt after sharing of gains/(los ses)
		а	b	С	d = c - a	e = d - f	f = b - a	g = a + e/3 + f
1	Operation & Maintenance Expenses	107.23	107.62	114.64	7.41	7.02	0.39	109.96
2	Depreciation Expenses	303.75	304.30	304.30	0.55		0.55	304.30
3	Interest on Long- term Loan Capital	294.68	334.83	334.83	40.15		40.15	334.83

Sr. No.	Particulars	Case 50 of 2016 dated 03.06.2 021	Revised Normativ e/ Actual	Actual	Deviati on	Contr ollabl e	Uncon trollabl e	Net Entitleme nt after sharing of gains/(los ses)
		а	b	С	d = c - a	e = d - f	f = b - a	g = a + e/3 + f
4	Interest on Working Capital and on security deposits	18.02	18.22	40.27	22.25	22.05	0.20	25.57
5	Income Tax	38.44	47.86	47.86	9.42		9.42	47.86
6	Contribution to Contingency reserves	13.41	13.41	13.41	-		-	13.41
7	Total Revenue Expenditure	775.53	826.24	855.31	79.78	29.07	50.71	835.93
8	Return on Equity Capital	268.70	268.83	268.83	0.13		0.13	268.83
9	Aggregate Revenue Requirement	1,044.23	1,095.07	1,124.14	79.90	29.07	50.84	1,104.76
10	Less: Non-Tariff Income	-	(1.58)	(1.58)	(1.58)		(1.58)	(1.58)
11	Less: Income from Other Business	-	-	-	-		-	-
							-	
12	Aggregate Revenue Requirement from Transmission Tariff	1,044.23	1,096.65	1,125.72	81.48	29.07	52.42	1,106.34

1.14 Trued up ARR of the Petitioner for FY 2020-21 considering above factors, is summarized in the table below.

Table 1-3: True Up of ARR for FY 2020-21 (Rs. Crore)

Sr. No.	Particulars	Case 50 of 2016 dated 03.06.2 021	Revised Normativ e/ Actual	Actual	Deviat ion	Contro Ilable	Uncont rollable	Net Entitleme nt after sharing of gains/(los ses)
		а	b	С	d = c -	e = d - f	f = b - a	g = a + e/3 + f
1	Operation & Maintenance Expenses	108.11	107.73	115.47	7.36	7.74	(0.38)	110.31
2	Depreciation Expenses	303.75	305.31	305.31	1.56		1.56	305.31
3	Interest on Long- term Loan Capital	259.23	294.91	294.91	35.68		35.68	294.91
4	Interest on Working Capital and on security deposits	18.00	16.16	32.01	14.01	15.85	(1.84)	21.44
5	Income Tax	-	-	-	-		-	-

Sr. No.	Particulars	Case 50 of 2016 dated 03.06.2 021	Revised Normativ e/ Actual	Actual	Deviat ion	Contro llable	Uncont rollable	Net Entitleme nt after sharing of gains/(los ses)
		а	b	С	d = c - a	e = d - f	f = b - a	g = a + e/3 + f
6	Contribution to Contingency reserves	14.45	15.04	15.04	0.59		0.59	15.04
7	Total Revenue Expenditure	703.54	739.16	762.74	59.20	23.59	35.61	747.02
8	Return on Equity Capital	294.08	326.03	326.03	31.95		31.95	326.03
9	Aggregate Revenue Requirement	997.62	1,065.19	1,088.77	91.15	23.59	67.57	1,073.05
10	Less: Non Tariff Income	1.62	1.23	1.23	(0.39)		(0.39)	1.23
11	Less: Income from Other Business	•	•	1	-		•	-
							•	
12	Aggregate Revenue Requirement from Transmission Tariff	996.00	1,063.95	1,087.54	91.54	23.59	67.95	1,071.81

1.15 Trued up ARR of the Petitioner for FY 2021-22 considering above factors, is summarized in the table below.

Table 1-4: True Up of ARR for FY 2021-22 (Rs. Crore)

Sr. No.	Particulars	Case 50 of 2016 dated 03.06.2 021	Revised Normativ e/ Actual	Actual	Deviati on	Contr ollabl e	Uncon trollabl e	Net Entitleme nt after sharing of gains/(los ses)
		а	b	С	d = c - a	e = d - f	f = b - a	g = a + e/3 + f
1	Operation & Maintenance Expenses	112.35	111.61	117.08	4.73	5.47	(0.74)	113.43
2	Depreciation Expenses	303.75	306.21	306.21	2.46		2.46	306.21
3	Interest on Long- term Loan Capital	223.79	255.06	255.06	31.27		31.27	255.06
4	Interest on Working Capital and on security deposits	17.72	15.78	47.35	29.63	31.57	(1.94)	26.30
5	Income Tax	•	-	-	-		-	-
6	Contribution to Contingency reserves	14.45	15.30	15.30	0.85		0.85	15.30

Sr. No.	Particulars	Case 50 of 2016 dated 03.06.2 021	Revised Normativ e/ Actual	Actual	Deviati on	Contr ollabl e	Uncon trollabl e	Net Entitleme nt after sharing of gains/(los ses)
		9	Ь	С	d = c - a	e = d - f	f = b - a	g = a + e/3 + f
7	Total Revenue Expenditure	672.05	703.95	741.00	68.95	37.05	31.90	716.30
8	Return on Equity Capital	294.08	326.41	326.41	32.34		32.34	326.41
9	Aggregate Revenue Requirement	966.13	1,030.37	1,067.41	101.28	37.05	64.24	1,042.72
10	Less: Non Tariff Income	3.70	2.24	2.24	(1.46)		(1.46)	2.24
11	Less: Income from Other Business	•	•	1	-		-	-
		•	-	1	-		-	
12	Aggregate Revenue Requirement from Transmission Tariff	962.43	1,028.13	1,065.17	102.74	37.05	65.70	1,040.48

- 1.16 The Petitioner would like to draw kind attention to Regulation No. 57.2 of MYT Regulation, 2015, which provides that Availability Incentive is entitled on achieving Annual Availability beyond the Availability of 99%. In view of this, the Petitioner has claimed Availability Incentive for the FY 2019-20 for actual availability beyond target availability 99%. These regulations further provide that Availability incentive shall be granted for the availability upto 99.75%. The Annual availability of the Petitioner for the FY 2019-20 is 99.72%. The Annual Availability Certificate issued to the Petitioner by MSLDC is attached to the Petition as Annexure 4.
- 1.17 The Petitioner would like to draw kind attention to Regulation No. 29.7 of MYT Regulation, 2019, which provides that Additional rate of Return on Equity shall be allowed on transmission availability. In view of this, the Petitioner has achieved transmission availability of 99.88% and 99.96% for FY 2020-21 and FY 2021-22 respectively and accordingly claimed additional rate of return on equity. The Annual Availability Certificate for FY 2020-21 and FY 2021-22 issued to the Petitioner by MSLDC is attached to the Petition as **Annexure 4**.

Table 1-5: True Up Summary for FY 2019-20, FY 2020-21 & FY 2021-22 (Rs. Crore)

Sr. No.	Particulars	Formula	Actual for FY 2019-20	Actual for FY 2020-21	Actual for FY 2021-22
1	ARR allowed after truing up and post sharing of gains/losses	а	1,106.34	1,071.81	1,040.48
2	Past Period Gap approved in MYT Order Case 290 of 2019	b	-	38.22	42.82
3	ARR allowed after truing up and post sharing of	c = a + b	1,106.34	1,110.03	1,083.30

Sr. No.	Particulars	Formula	Actual for FY 2019-20	Actual for FY 2020-21	Actual for FY 2021-22
	gains/losses and past recoveries				
4	Less: Revenue as per InSTS Order	d	975.58	973.33	946.91
5	Revenue Gap/ (Surplus) for computation of Carrying Cost/(Holding) Cost	e = c - d	130.76	136.70	136.39
6	Carrying/(Holding) Cost on account of Revenue Gap / (Surplus)	f	47.17	36.86	25.13
7	Availability Incentive	9	8.05	-	-
8	Net Revenue gap to be recovered including carrying cost and availability incentive	h = e + f + g	185.98	173.56	161.52

1.18 For FY 2022-23, MEGPTCL has compared actual performance for the first half year based on un-audited half yearly accounts and estimates for the second half with the approved ARR in the MYT Order. A comparison of the approved and revised ARR for FY 2022-23 is provided in the table below.

Table 1-6: Comparison of Approved Vs. Estimated ARR for FY 2022-23 (Rs. Crore)

		FY 2022-23	
Particulars	Approved (Case No. 50 of 2016)	Estimated	Provisional True Up Requirement
O&M Expenses	116.84	116.84	-
Depreciation Expenses	303.75	306.56	2.81
Interest on Long-term Loan Capital	188.34	214.85	26.51
Interest on Working Capital and on consumer security deposits	17.36	17.20	(0.16)
Income Tax	0.00	-	-
Contribution to contingency reserves	14.45	28.99	14.49
Total Revenue Expenditure	640.74	684.43	43.65
Return on Equity Capital	294.08	295.07	0.99
Aggregate Revenue Requirement	934.82	979.50	44.64
Less: Non-Tariff Income	4.62	4.00	(0.62)
Less: Income from Other Business			
Less: Income from Open Access charges			
Aggregate Revenue Requirement from Transmission Tariff	930.20	975.50	45.26

Table 1-7: Provisional True Up for FY 2022-23 (Rs. Crore)

Sr. No.	Particulars	Formula	FY 2022-23
1	ARR allowed after truing up and post sharing of gains/losses	а	975.50

Sr. No.	Particulars Particulars	Formula	FY 2022-23
2	Past Period Gap approved in MYT Order Case 290 of 2019	Ь	39.75
3	ARR allowed after truing up and post sharing of gains/losses and past recoveries	c = a + b	1,015.25
4	Less: Revenue as per InSTS Order	d	914.17
5	Revenue Gap/ (Surplus) for computation of Carrying Cost/(Holding) Cost	e = c - d	101.08

- 1.19 The Petitioner has not claimed any carrying cost for FY 2022-23 in the present Petition.
- 1.20 Revised estimate of ARR for the FY 2023-24 and FY 2024-25 is provided in the following table:

Table 1-8: Summary of Revised estimate of ARR for FY 2023-24 & FY 2024-25 (Rs. Crore)

Particulars	FY 2023- 24 (Approved)	FY 2023- 24 (Estimated)	FY 2024-25 (Approved)	FY 2024-25 (Estimated)
O&M Expenses	121.49	121.49	126.31	126.31
Depreciation Expenses	303.75	306.01	303.75	305.52
Interest on Loan Capital	152.89	174.48	117.44	134.15
Interest on Working	31.77	40.71	17.27	17.53
Capital				
Income Tax	-	-	-	-
Contribution to	14.45	28.99	14.45	29.01
contingency reserves				
Total Revenue	624.34	671.69	579.23	612.52
Expenditure				
Add: Return on Equity	294.08	295.19	294.08	295.29
Capital				
Aggregate Revenue Requirement	918.42	966.87	873.30	907.81
Less: Non-Tariff Income	5.54	4.75	6.46	6.25
Less: Income from Other Business				
Less: Income from Open				
Access charges				
Aggregate Revenue	912.88	962.12	866.84	901.56
Requirement from				
Transmission				

1.21 The Petitioner would like to submit that the Cumulative ARR for FY 2023-24 & FY 2024-25 (incl of Revenue Gap/ (Surplus)) is as below:

Table 1-9: Cumulative ARR for FY 2023-24 & 2024-25 (Rs Crore)

Sr. No.	Particulars Particulars	FY 2023-24	FY 2024-25
1	Revised Estimate of ARR in present Petition	962.12	901.56
2	Recovery of Past Year Gap/ (Surplus) including Carrying Cost as approved in Case No. 290 of 2019	36.69	33.62
3	Revised Trued up ARR for FY 2013-14 to FY 2018-19 (Impact of Hon'ble ATE Judgement)	423.69	
4	Carrying cost on revised Trued up ARR for FY 2013-14 to FY 2018-19	303.00	
5	Impact on approved Incentive for the period FY 2013-14 to FY 2018-19 (Impact of Hon'ble ATE Judgement)	4.56	
6	Carrying cost on additional incentive to be recovered on revised Trued up ARR for FY 2013-14 to FY 2018-19	2.25	
7	Revenue Gap/ (Surplus) for FY 2019-20	138.81	
8	Carrying cost on Revenue Gap/ (Surplus) for FY 2019-20	47.17	
9	Impact of Income Tax on past due recoveries	198.17	0.32
10	Carrying cost on Income Tax on past due recoveries	29.34	
11	Revenue Gap/ (Surplus) for FY 2020-21	136.70	
12	Carrying cost on Revenue Gap/ (Surplus) for FY 2020-21	36.86	
13	Revenue Gap/ (Surplus) for FY 2021-22	136.39	
14	Carrying cost on Revenue Gap/ (Surplus) for FY 2021-22	25.13	
15	Revenue Gap/ (Surplus) for FY 2022-23	101.08	
16	Consequential Impact for FY 2015-16 to FY 2018-19 - Estimated recovery in FY 2023-24 due to impact of Hon'ble ATE Judgement dated 28.11.2022	319.72	
17	Total Estimated Recovery through InSTS	2,901.67	935.50

Prayers to the Hon'ble Commission

In view of the above facts and circumstances, the Petitioner prays to the Hon'ble Commission that it may be pleased to:

- (a) Admit the present Petition.
- (b) Allow Additional Capital Cost claimed in this Petition.
- (c) Allow financial implication (relief) along with Carrying cost, in terms order of Hon'ble Commission in case No. 50 of 2016 dated 03.06.2021
- (d) Allow financial implication (relief) along with Carrying cost, in terms the Hon'ble APTEL judgement dated 28.11.2022 in Appeal No. 18 of 2019 and Appeal No. 173 of 2022
- (e) Approve the true-up of ARR along with carrying cost and incentive for FY 2019-20
- (f) Approve the true-up of ARR along with additional Return on Equity and carrying cost for FY 2020-21 and FY 2021-22

- (g) Allow grossed up income tax on the recoveries pertaining to the period up to FY 2019-20 which are allowed in ARR of FY 2020-21 and onwards along with carrying cost
- (h) Approve the provisional true-up of ARR for FY 2022-23 as indicated in this Petition
- (i) Approve the revised projections ARR for FY 2023-24 & FY 2024-25 as indicated in this Petition
- (j) Allow recovery of the impact of the above prayers from the TSUs along with applicable carrying cost
- (k) Condone any inadvertent omissions/errors/shortcomings and permit MEGPTCL to add/change/modify/alter this filing and make further submissions as may be required at a future date.
- (I) Allow any other relief, order or direction, which the Hon'ble Commission deems fit to be issued
- (m) Pass such further orders, as the Hon'ble Commission may deem fit and appropriate, keeping in view the facts and circumstances of the case.