



**TELANGANA STATE ELECTRICITY REGULATORY COMMISSION HYDERABAD**  
**5<sup>th</sup> Floor, Singareni Bhavan Lakdi-ka-pul Hyderabad 500 004**

I.A.No.9 of 2020  
in  
O.P.Nos.9 & 10 of 2019

Dated 27.03.2020

**Present**

Sri T.Sriranga Rao, Chairman  
Sri M.D.Manohar Raju, Member (Technical)  
Sri Bandaru Krishnaiah, Member (Finance)

**In the matter of**

Continuation of existing Wheeling Tariffs (Wheeling Charges and Wheeling Losses) for FY 2020-21 till the issuance of Wheeling Tariff Order for 4<sup>th</sup> Multi-Year Tariff (MYT) Control Period (FY 2019-20 to FY 2023-24).

**In the matter of**

1. Southern Power Distribution Company of Telangana Ltd.,  
6-1-50, Mint Compound, Hyderabad, Telangana 500 063.
2. Northern Power Distribution Company of Telangana Ltd.,  
H.No.2-5-31/2, Corporate Office, Vidyut Bhavan,  
Nakkalgutta, Warangal 506 001.

... Applicants

The Interlocutory Application having stood over for consideration to this day, the Commission passed the following:

**ORDER**

The Distribution Companies of Telangana (TSDiscoms or Applicants) being Southern Power Distribution Company of Telangana Limited (TSSPDCL) and Northern Power Distribution Company of Telangana Limited (TSNPDCL) have filed Interlocutory Application (I.A.) under Clause 42 of the TSERC (Conduct of Business) Regulations 2015 seeking for continuation of existing wheeling charges, wheeling losses of FY 2018-19 for FY 2020-21 till the issuance of Wheeling Tariff Order for 4<sup>th</sup> Multi-Year Tariff (MYT) control period (FY 2019-20 to FY 2023-24).

2. The Applicants have stated in the said application as below:
- a) TSDiscoms have made filings (Original Petitions or O.Ps.) under Section 61 of the Electricity Act, 2003 for determination of ARR & Wheeling Tariffs for Distribution Business for 4<sup>th</sup> MYT control period before the Commission on 16.12.2019.
  - b) These filings were scrutinized by the Commission and found to be generally in order as per the TSERC Conduct of Business Regulations (Regulation No.2 of 2015), taken on record and assigned O.P.No.9 of 2019 for filings made by TSSPDCL and O.P.No.10 of 2019 for filings made by TSNPDCL.
  - c) As per the directions issued by the Commission vide Lr.No.TSERC/Secy/S-DSTP-19-24/2019-1 D.No.271, dated 27.12.2019 TSDiscoms have published the public notice on 29.12.2019 in two English newspapers (The Hindu & Times of India), two Telugu newspapers (Sakshi & Namasthe Telangana) and one Urdu newspaper (Etemaad) duly inviting the objections/suggestions from interested persons/stakeholders by 28.01.2020. The Commission has conducted the public hearing on 06.02.2020 at its Court Hall.
  - d) In view of the prevailing situation, it may not be possible to issue Wheeling Tariff Order till 31.03.2020 due to the declaration of lockdown by Telangana Govt. as per G.O.Ms.No.45 dated 22.03.2020, to prevent and contain the spread of the Covid-19 virus.
  - e) In the circumstances mentioned above, it is prayed that the Commission may be pleased to pass order directing to continue the existing Wheeling Tariffs of FY 2018-19 for FY 2020-21 till the issuance of Wheeling Tariff Order for 4<sup>th</sup> MYT control period (FY 2019-20 to FY2023-24).
  - f) The two (2) TSDiscoms (TSSPDCL and TSNPDCL) have same cause of action. It is therefore prayed that the Commission may be pleased to pass order directing to continue the existing Wheeling Tariffs of FY 2018-19 for FY 2020-21 till the issuance of Wheeling Tariff Order for 4<sup>th</sup> MYT control period (FY 2019-20 to FY2023-24).

3. We have examined and considered the Interlocutory Application filed by TSDiscoms. We are of the view that the existing Wheeling Tariffs (wheeling charges and wheeling losses in kind) of FY 2018-19 determined in Wheeling Tariff Order dated 27.03.2015 in O.P.Nos.78 & 79 of 2015, being applicable for FY 2019-20 as per the Commission order dated 06.11.2019 in I.A.No.4 of 2019 in O.P.Nos 78 & 79 of 2015, has to be continued for FY 2020-21 till the determination of Wheeling Tariff in the said O.P.Nos.9 & 10 of 2019. To meet the ends of justice for the present, the Commission is of the view that it is appropriate to consider the present Interlocutory Application and to pass an order on ad-interim measure, subject to the final disposal of the Interlocutory Application along with the Original Petitions (O.P.) in determination of wheeling tariffs for 4<sup>th</sup> MYT control period.

4. It is relevant to state here that this Commission is empowered to pass necessary interim orders in appropriate cases under Section 94 (2) of the Electricity Act, 2003. In this regard the relevant provision is extracted below:

*“94. Powers of Appropriate Commission:*

*(1) .....*

*(2) The Appropriate Commission shall have the powers to pass such interim order in any proceeding, hearing or matter before the Appropriated Commission as the Commission may consider appropriate.*

*(3) .....*

5. Further, the Clause 42 of the TSERC (Conduct of Business) Regulations, 2015 (Regulation No.2 of 2015) stipulates that *“Subject to the provisions of the Act, the time prescribed by these Regulations or by order of the Commission for doing any act may be extended (whether it has already expired or not) or abridged or sufficient reason by order of the Commission.”*

6. As stated by the Applicants in the Interlocutory Application, the Commission is placed in a situation, when the Commission is about to pass the Wheeling Tariffs order in the said O.Ps., the lockdown orders in the entire State of Telangana, the emergency measures to prevent and contain the spread of the pandemic Corona (COVID-19) virus, have been put in place by Telangana Govt. vide G.O.Ms.No.45 dated 22.03.2020. Likewise, the Government of India has also issued guidelines in this regard vide Ministry of Home Affairs Order No.40-3/2020-D, dated 24.03.2020.

7. In the present prevailing circumstances, the Commission deem it appropriate to pass an interim order in this Interlocutory Application as an ad-interim measure for continuation of the existing Wheeling Tariffs (wheeling charges and wheeling losses) with effect from 01.04.2020 till an order is passed in the above said O.Ps.

8. Accordingly, the wheeling charges and wheeling losses in kind of FY 2018-19 determined in Wheeling Tariff Order dated 27.03.2015 in O.P.Nos.78 & 79 of 2015, being applicable as on 31.03.2020 as per the Commission order dated 06.11.2019 in I.A.No.4 of 2019 in O.P.Nos.78 & 79 of 2015 are continued to be applicable and can be levied from 01.04.2020 till this Commission passes final order in O.P.Nos.9 & 10 of 2019.

***This order is corrected and signed on this the 27<sup>th</sup> day of March, 2020.***

Sd/-  
(BANDARU KRISHNAIAH)  
MEMBER (FINANCE)

Sd/-  
(M.D.MANOHAR RAJU)  
MEMBER (TECHNICAL)

Sd/-  
(T.SRIRANGA RAO)  
CHAIRMAN

**// CERTIFIED COPY //**