

BIHAR ELECTRICITY REGULATORY COMMISSION

VIDYUT BHAWAN-II, BAILEY ROAD, PATNA 800 021

No. 15

Patna, dated: 10/11/2011

NOTICE

This is for information to the public in general and stakeholders in particular that the Bihar Electricity Regulatory Commission in exercise of powers conferred on it by section 181 read with clause (g) of sub section (1) of section 86 of the Electricity Act, 2003 and all powers enabling it in this behalf has drawn up a draft regulation to amend the Bihar Electricity Regulatory Commission (Fees, Fines and Charges) Regulations, 2005 published in Bihar Gazette Extraordinary (No. Patna 95) dated 10th February, 2006 and its 1st amendment published in Bihar Gazette Extraordinary (Patna no. 978) dated 1st November, 2007.

Comments/suggestions are invited from the general public and stakeholders on the draft regulation which may reach the Secretary, B.E.R.C. by post or by e-mail (e-mail ID – bercpat@berc.co.in) by 5th December 2011 whereafter the same on consideration of comments and suggestions received shall be finalised and notified. Any person/association/utility service interested may see the proposed draft regulation on the website of the Commission www.berc.co.in or may obtain a copy of the same on payment of Rs. 100/- (Rupees one hundred) only in cash from the office of the Commission located at Vidyut Bhawan-II, Bailey Road, Patna on any working day between 11 A.M. to 4 P.M.

Sd/-

Secretary, BERC

DRAFT

BIHAR ELECTRICITY REGULATORY COMMISSION, PATNA
2nd Amendment to Fee, Fines and charges Regulation, 2005

NOTIFICATION

The, 2011

No.....– In exercise of powers conferred on it by sub–section (l) of section 181 read with clause (g) of sub–section (l) of section 86 of the Electricity Act, 2003 and all powers enabling it in this behalf, the Bihar Electricity Regulatory Commission hereby makes the following regulations to amend the Bihar Electricity Regulatory Commission (Fee, Fines and charges) Regulation, 2005 issued under notification no. BERC/04/2005 dated 2nd February, 2006 and published in Bihar Gazette Extraordinary (No. Patna 95) dated 10th February, 2006 and 1st amendment issued under notification no. 8 dated 31st Oct, 2007 published in the Bihar Gazette Extraordinary (No. Patna, 978) dated 1st Nov, 2007.

1. Short title and commencement:

- (i) These Regulation may be called the Bihar Electricity Regulatory Commission (Fees, Fines and Charges) (2nd Amendment) Regulation, 2011.
- (ii) They shall come into force from the date of their publication in the Official Gazette.

2. The following amendments are hereby made in the said Regulation:

- (i) In the schedule referred to in sub–regulation (l) of regulation 3 of chapter–II of the Regulation, for Sr. no. 7 following shall be substituted.

Sr. No.	Nature of Petition/Application	Fee
7.	Approval/Adoption of price/tariff for power purchase or procurement process by distribution licensee (long term and medium term basis).	

- (ii) Below Sr. no. 7 (b) of the schedule to the Regulation following shall be added

Sr. No.	Nature of Petition/Application	Fee
(c)	Petition / Application for approval of quantum and price of procurement of Electricity on short term basis.	
	(i) Conventional	Rs. 15,00,000 (Rs. Fifteen Lakh)
	(ii) Non Conventional	Rs. 7,50,000 (Rs. Seven Lakh fifty thousand)
(d)	Approval of proposal for deviation in guidelines for Tariff based on competitive bidding	To be decided by the Commission on case to case basis

- (iii) Under Sr. no. 17 (Request for inspection of documents as may be permitted) of the schedule of the Regulation, for Rs. 3 (Rs. Three) per page shall be substituted as Rs. 5 (Rs Five) per page.
- (iv) Under Sr. no. 21 (Annual licence fee for a licensee/deemed licensee under section 14 of the Act), following shall be substituted for fees against item (a) (b) and (c).

Sr. No.	Nature of Petition/Application	Fee
21.	Annual licence fee for a licensee / deemed licensee under Section 14 of the Act	
	(a) For Transmission of Electricity	Initially one paise for each 20 kWh of energy to be handled but adjustment shall be made against final energy handled during the financial year. Minimum Rs. 10,00000/- (Ten Lakhs)
	(b) For Distribution of Energy	One paise for each 20 kWh of energy to be handled but adjustment shall be made against final energy handled during the financial year Minimum Rs. 5,00,000 (Five Lakhs).
	(c) For Trading of Electricity	One paise for each 20 kWh of energy to be traded but it shall be adjusted against final energy traded during the financial year. Minimum Rs. 2,00,000 (Two Lakhs.)

- (v) Below Sr. no. 21 of the schedule to the Regulation the following items shall be inserted.

Sr. No.	Nature of Petition/Application	Fee
22.	Petition / Application for approval of FPPCA	Rs. 50,000/- (Rs. Fifty thousand).

**By the order of the Commission
Secretary, BEREC**